

Project SafeCom News and Updates

Monday, 30 April 2018

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1. Julian Burnside: The failings of super-minister Dutton

The Saturday Paper
Edition No. 202 April 28 – May 4, 2018
Julian Burnside

Peter Dutton is arguably the most powerful person in the country. In his new ministry he has oversight for national security, for the Federal Police, Border Force and ASIO, for the law enforcement and emergency management functions of the Attorney-General's Department, the transport security functions of the Department of Infrastructure, Regional Development and Cities, the counterterrorism and cybersecurity functions of the Department of Prime Minister and Cabinet, the multicultural affairs functions of the Department of Social Services, and the entire Department of Immigration and Border Protection.

It is hard to imagine any member of federal parliament less suited to exercise the sort of powers now held by Dutton. It is easy to argue that no minister should be entrusted with such vast powers. But the fact that those powers are in Dutton's hands is seriously alarming.

Ministerial powers are subject to limits. The rule of law means that the limits are subject to supervision by the judicial system. Most ministers understand that. Dutton apparently does not.

He is trying to persuade other countries to back away from international human rights protection.

FULL STORY AT <https://www.thesaturdaypaper.com.au/opinion/topic/2018/04/28/the-failings-super-minister-dutton/15248376006152>

2. John Marnell: South Africa: where 'Australia' is code for racist

"When I woke to news reports of Dutton's comments, I felt the deep shame and embarrassment that is so familiar to Australians living abroad. In the South African imagination, Australia is the racist state par excellence: a sanctuary for white South Africans fleeing the nightmare of black rule, a new home where they can play out colonial fantasies without all this talk of transformation or justice or restitution, a nation in which white privilege is rebranded as 'hard work' and a 'fair go'."

Overland
By John Marnell
23.Mar.18

I am sitting down to write this on Human Rights Day, a national holiday commemorating the 1960 Sharpeville massacre. It is a day that evokes memories of state violence and institutionalised racism, of the apartheid government's determination to brutalise and dehumanise non-white South Africans, but it also points to more recent processes of nation-building and (as yet unrealised) healing. It is a significant day for many South Africans, in that it encourages people to think about the current state of rights in what is still a relatively new democracy. This year – in light of Peter Dutton's announcement that Australia would consider fast-tracking 'humanitarian' visas for white South African farmers – the holiday has me thinking about the differences between Australia, my country of birth, and South Africa, my adopted home.

FULL STORY AT <https://overland.org.au/2018/03/south-africa-where-australia-is-code-for-racist/>

3. Lisa Singh & Andrew Broad: As the monsoons approach, the Rohingya refugees are desperate for hope

What we saw in those camps was confronting. Unicef and others do impressive work on tight budgets but they need more support from us

The Guardian
Lisa Singh and Andrew Broad
Sat 7 Apr 2018 08.00 AEST

Exhausted parents dragging toddlers through water and mud, babies carried in the arms of siblings little older than themselves, and horrifyingly tiny graves of children who did not survive the journey.

This is the confronting scene we witnessed in January at the Rohingya refugee settlements surrounding Cox's Bazar on our visit to South-East Bangladesh as co-chairs of the parliamentary friends of Unicef.

At the time we were told 80,000 people needed shifting in 60 days so they would not be killed by mudslides. They needed adequate drainage so that waterborne and respiratory diseases wouldn't flourish and spread in the additional water as it mixed with excrement. And as the monsoon season approaches, the challenge is about to get much worse for almost one million Rohingya refugees.

At Cox's Bazar, we witnessed the work Unicef and other humanitarian agencies have been doing to help this enormous influx of desperate people in incredibly difficult circumstances. We saw there was no waste.

FULL STORY AT <https://www.theguardian.com/commentisfree/2018/apr/06/as-the-monsoons-approach-the-rohingya-refugees-are-desperate-for-hope>

4. The Saturday Paper Editorial: Nelson's new column

The Saturday Paper

Edition No. 202 APRIL 28 – MAY 4, 2018

For a time the Australian War Memorial had trouble with children defecating in the decommissioned toilet of one of its naval exhibits. The metaphor is simple and apt.

This week, Brendan Nelson proposed that the war memorial be used to commemorate military involvement in Australia's campaign against asylum seekers – a war fought against innocent people. This solemn monument to loss in battle would be repurposed to honour the worst of our contemporary human rights abuses.

In an Anzac Day interview, Nelson said border protection was, "arguably the most important thing our military is doing with other agencies".

He said he spent two days on a patrol boat when he was defence minister in the Howard government and that he was struck by the courage of the young sailors. "If you ask the average Australian, out of all the things the Royal Australian Navy is doing, I'm pretty confident most would rank what these young men and women are doing in these patrol boats as pretty close to the top."

The politics of this gesture were clear. The Australian described it as a memorial for the "sailors who stopped illegal boat arrivals from landing here". Richard Marles broke ranks in the Labor Party to endorse it. Jim Molan, the co-architect of Operation Sovereign Borders, now a Liberal senator, said: "It is a legitimate part of Australian military history."

Finally, the militarisation of our immigration policy is complete. The public servants are in uniform. The policy is increasingly hostile and warlike. And the war memorial, that monument to blood and carnage, is waiting anxiously to commemorate the campaign.

"It is not something that will be done tomorrow, but some point in the future, all of those men and women who served in the border protection operations quite rightly would expect their story is going to be told at the Australian War Memorial," Nelson said. "If we do not invest in more space soon, a decade or 20 years from now those veterans will be told, 'Look, I'm sorry, we can't tell your story ... because the war memorial doesn't have any space.'"

Here is the hustle in Nelson's pitch. The former Labor Party member, who once lied that he had never voted Liberal, is looking for \$500 million to expand the war memorial. He knows that there is no limit to what governments will spend on the demonisation of refugees, and so he is chasing that cruel money.

The navy loathes turnbacks. They are dangerous and traumatic. There is no doubt that this work is difficult and that it is forced on service people by our politics. But it is still worth asking what Nelson's memorial would commemorate.

Would it commemorate the camps these people are pushed into once they have been intercepted? Would it commemorate the torturous conditions? The mental degradation? The murder by guards? The suicides and immolations? The rapes? The soliciting in detention of women for sex?

Nelson's proposal is an opportunistic one. That is fitting: the whole system of offshore detention is opportunistic. It's a system built not for refugees but for swinging voters, a system of gross imperfection, of cruelties and incompetence. There is no plan for it, nothing beyond votes. That is how these men and women have ended up marooned, with no clear prospects. That is how these lives have been ruined.

It is hard to know how a system so flawed, so broken, might be commemorated. It is worrying to think it might be glorified. But that, it seems, is what is happening.

<https://www.thesaturdaypaper.com.au/2018/04/28/nelsons-new-column/15248376006146>

5. ABF 'obstructed' medical transfers from Nauru, Roman Quaedvlieg admits

Former Australian Border Force commissioner says he 'accepts without equivocation' that deserving cases were 'thwarted'

The Guardian
Ben Doherty
Thu 26 Apr 2018 04.00 AEST

The former commissioner of the Australian Border Force, Roman Quaedvlieg, has said on Twitter that medical transfers from Nauru were a "vexed" issue for the ABF, which has the ultimate authority to move people to care.

"A lot of [money] has been invested in upgrading medical services there but some cases are so acute they need specialists; but we also need to stop exploitation of this path."

He conceded that genuine medical transfers were "obstructed and thwarted" by the ABF.

A former senior medical officer on Nauru, Dr Nick Martin, told Quaedvlieg: "I appreciate your comments, but you must remember that every time, without fail, that I tried to get deserving cases the care they needed they were thwarted and obstructed by ABF. Every time."

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/26/abf-obstructed-medical-transfers-from-nauru-roman-quaedvlieg-admits>

6. Richard Marles endorses Brendan Nelson's AWM growth campaign on asylum-seekers

The Australian
12:00AM April 25, 2018
Greg Brown
Journalist, Canberra

Federal Labor has backed calls for navy personnel who have helped "stop the boats" under the asylum-seeker crackdown to be honoured in a potential expansion of the Australian War Memorial.

Opposition defence spokesman Richard Marles said he supported AWM director Brendan Nelson's ambition for the national memorial to showcase the stories of sailors who stopped illegal boat arrivals from landing here. Mr Marles — a Labor right figure who has pushed against the left's opposition to offshore processing of asylum-seekers who come to Australia by boat — said sailors should be honoured for doing the jobs the Australian government asked of them.

Dr Nelson is pushing for a \$500 million expansion of the AWM and believes there should be a place in the "medium term" to tell the story of border protection operations. "The Royal Australian Navy has been asked to serve in this way by governments of both persuasions," Mr Marles said. "The AWM should commemorate the contributions of all those who serve in our defence forces."

Mr Marles's support of Dr Nelson's idea, revealed in The Australian on Monday, came as the Turnbull government went silent on the issue.

A spokesman for Defence Minister Marise Payne said: "Potential future exhibitions are a matter for the AWM council."

Greens defence spokesman Peter Whish Wilson attacked the idea, calling it "weird" and "highly political". "It is called a war memorial for a reason: it is there to commemorate war, not every action of the military," he said.

<https://www.theaustralian.com.au/national-affairs/defence/richard-marles-endorses-brendan-nelsons-awm-growth-campaign-on-asylumseekers/news-story/4be82b0659c4cadd2c5a81972695e805>

7. Richard Marles under attack for support of display honouring boat turnbacks at war memorial

Labor left MPs and Greens say commemorating Operation Sovereign Borders a 'shameless attempt at culture wars'

The Guardian
Paul Karp
Thu 26 Apr 2018 14.59 AEST

Labor left MPs and the Greens are perturbed that the shadow defence minister, Richard Marles, has supported a move for the Australian War Memorial to commemorate Operation Sovereign Borders.

Four Labor MPs have told Guardian Australia they personally rejected the plan or questioned the wisdom of Marles involving the opposition in culture wars on the sensitive topic of asylum seeker policy, and that concerns extended to Labor's frontbench.

The Greens have said the idea diminishes the service of others, although even some in Labor left have defended the idea of commemorating all those who have served in the armed forces.

The memorial's director, Brendan Nelson, has proposed that navy personnel who undertook activities to stop asylum seekers coming to Australia by boat, including through the controversial policy of boat turnbacks, should be commemorated as part of a \$500m expansion of the memorial.

In comments to the Australian on Anzac Day, Marles said the royal Australian navy "has been asked to serve in this way by governments of both persuasions".

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/26/richard-marles-under-attack-for-support-of-boat-turnbacks-display-at-war-memorial>

8. Border control is key to successful multiculturalism: Malcolm Turnbull

Canberra Times
Tuesday April 24 2018
David Crowe

Berlin: Prime Minister Malcolm Turnbull has told a German audience that the "sovereign right" to control a country's borders is vital to successful multiculturalism, drawing applause for the remark at a time of heightened concern over immigration.

Mr Turnbull told a Berlin foundation that using firm policies to stop people smugglers was important to keeping community support for immigration, as he acknowledged the big growth in the number of Australians born overseas.

The remark came hours before the Prime Minister met German Chancellor Angela Merkel, who said she expected to discuss migration policy with Mr Turnbull in their formal meeting in Berlin on Monday.

"We shall discuss migration policy, an exchange of views on that. Development policy will also loom large on the agenda," Ms Merkel said before the meeting.

The remark came hours before the Prime Minister met German Chancellor Angela Merkel, who said she expected to discuss migration policy with Mr Turnbull in their formal meeting in Berlin on Monday.

"We shall discuss migration policy, an exchange of views on that. Development policy will also loom large on the agenda," Ms Merkel said before the meeting.'

Ms Merkel's controversial decision to allow about one million Syrian refugees into Germany cost her significant popular support ahead of the last election, which resulted in a Bundestag that took months to form a government.

Mr Turnbull delivered a speech on trade and security to the Konrad Adenauer Foundation on Monday, just before his meeting with the Chancellor, but found that one of the questions was about how Australia succeeded as a multicultural nation.

FULL STORY AT <http://www.canberratimes.com.au/federal-politics/political-news/border-control-is-key-to-a-successful-multicultural-nation-turnbull-20180423-p4zbb1.html>

9. Canberra public servant's sacking over asylum seeker policy tweets found to be 'unlawful'

ABC News
By Elise Pianegonda
Posted April 18, 2018 13:12:24

A Canberra public servant sacked for expressing her views on asylum seeker policy, has won her case for compensation after the Administrative Appeals Tribunal of Australia found she was unlawfully dismissed.

In September 2013, Michaela Banerji was fired from the Federal Department of Immigration after it was revealed she had been using the anonymous Twitter name @LaLegale to criticise the then-government, the minister and department policies — particularly over the handling of refugees.

Ms Banerji then lodged a claim for workers compensation for post-traumatic stress disorder she said arose from her termination.

She brought proceedings before the Federal Circuit Court, the Federal Court and the High Court over several years.

Ms Banerji said her termination was unreasonable because it breached a constitutional right to freedom of political communication.

In a decision handed down by the Administrative Appeals Tribunal of Australia (AATA) this week, the tribunal overturned a decision by the Commonwealth insurer to deny her workers compensation — though the tribunal did not specify the amount of compensation Ms Banerji should receive.

FULL STORY AT <http://www.abc.net.au/news/2018-04-18/canberra-public-servant-sacking-over-tweets-found-to-be-unlawful/9671516>

10. 'It's torturing us': refugee family split between Sydney and Nauru desperate to reunite

A Hazara family is divided three ways, with no chance in sight of being together

The Guardian
Helen Davidson and Saba Vasefi
Fri 20 Apr 2018 04.00 AEST

At the beginning they said we'll transfer you to Darwin and if your treatment takes longer, we'll bring all your children," says Nasreen. "But they lied, and when I realised they lied I was crying and screaming."

Nasreen sits in a beige recliner at the edge of her tidy kitchen in Sydney. Her small body is covered with a blanket, her face framed with a scarf. She cries, covering her face with her hands, as she recalls fleeing Afghanistan with her children to follow her husband to Australia, ending up in Nauru and then Sydney – separated from a son and a daughter.

"One night some men came to my home – I assumed they were Taliban – and they hit me in my back. I don't remember if it was a stick or a gun butt," she says through a translator. "They tried to steal [my son] Daryoush and I tried to save him and they hit my back. I was screaming."

<https://www.theguardian.com/world/2018/apr/20/its-torturing-us-refugee-family-split-between-sydney-and-nauru-desperate-to-reunite>

11. 'I'm dying a slow death': Hazara refugees plead for release from Nauru

Narges and Daryoush, who are suffering ill health in detention, want to be reunited with their mother who they haven't seen for four years after she was taken to Australia for treatment

The Guardian
Helen Davidson and Saba Vasefi
Sun 8 Apr 2018 09.03 AEST

I constantly take sleeping tablets because being awake is too hard," says Narges. "I understand that as a 27-year-old woman, the Australian Border Force considers me an independent. However, this is not the case in our culture and therefore life without my mother is meaningless for me."

Narges and her brother, Daryoush, currently languishing on Nauru, have not seen their mother and sister since 2014, despite multiple officials strongly and repeatedly recommending they be reunited.

The family of four are Hazara refugees from Afghanistan. They arrived in Australia in 2013 after travelling through Pakistan and Indonesia, and were sent to the offshore processing centre in Nauru. All have refugee status from the Nauruan government.

But in August 2014 their mother was transferred to Darwin for urgent medical care, and only one of the three siblings was allowed to join her two weeks later.

The family has been separated ever since. The mother and sister cannot apply for US settlement unless they return to Nauru, but the mother's health won't allow her to.

Narges and her brother have both suffered mentally and physically after the separation. Narges has self-harmed and attempted suicide. Both have been diagnosed with illnesses including severe depression and post-traumatic stress disorder.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/08/im-dying-a-slow-death-hazara-refugees-plead-for-release-from-nauru>

12. Asylum seeker boy on Nauru pleads for medical help for his mother

'There is no one to see how we are suffering,' Ali, 12, says from tent he shares with his mother

The Guardian
Ben Doherty and Saba Vasefi
Thu 26 Apr 2018 04.00 AEST

A 12-year-old asylum seeker held on Nauru has publicly pleaded for his severely depressed mother to be moved to Australia, for the urgent medical treatment doctors have been recommending for more than a year.

"I feel helpless because there is no one to help us. There is no one to see how we are suffering. My mother is very sick and my brother is totally depressed," Ali says in a series of videos filmed in the tent he shares with his mother.

Ali's pleas – and his own depressive symptoms – raise further concerns about mental health issues among refugee and asylum seeker children held on Nauru, which sources on the island say have reached epidemic proportions and a new criticality.

The case of the Iranian asylum seeker Fazileh M, who has been suffering gynaecological issues causing incontinence for more than three years, is the latest in a string of medical transfers that have been urgently requested by doctors on the island but delayed or refused by the Australian Border Force (ABF). Doctors have been recommending her transfer off Nauru for medical treatment since February 2017. Guardian Australia has chosen not to report her surname out of concern she could be identified in her home country.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/25/asylum-seeker-boy-on-nauru-pleads-for-medical-help-for-his-mother>

13. Australia agrees to bring in unwell refugee girl from Nauru

Government agrees for girl to be moved for medical care just before court hearing takes place

The Guardian
Ben Doherty
Sat 14 Apr 2018 14.42 AEST

A young refugee girl held by Australia on Nauru, who is suffering acute mental health problems and has attempted suicide three times, will be moved to Australia for medical care as soon as Sunday, after the government agreed at the last minute to her transfer.

Lawyers from Maurice Blackburn lodged an urgent application for the girl's transfer in the federal court on Friday night, citing a medical report dated 5 April from the government's medical contractor IHMS, warning that the girl was at serious risk of further attempts on her life.

The government has previously fought medical transfers for children in court, but in this case, just before a court hearing on Saturday morning, it acquiesced to the girl's transfer.

In court, Dutton's legal counsel Ashlee Briffa said flights were being booked for the girl, along with her father and brother, to travel to Australia on Sunday afternoon.

Briffa said the medical report on the girl's health -had been received by the department only on Friday.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/14/australia-agrees-to-bring-in-unwell-refugee-girl-from-nauru>

14. Child to be brought to Australia from Nauru for medical treatment

Canberra Times
April 14 2018 - 8:01AM
Anthony Colangelo

A girl in detention on Nauru in a "very severe" condition will be allowed to travel to Australia for urgent medical treatment after lawyers said the child tried to take her own life two days ago.

The girl's case was heard in the Federal Court on Saturday after lawyers acting on her behalf said a request for the child to receive treatment in Australia was rejected by the Department of Home Affairs and its Minister Peter Dutton on Friday afternoon.

Maurice Blackburn's head of social justice, Jennifer Kanis, told reporters after the hearing that the child had attempted to take her own life three times, as recently as two days ago, and had been under 24-hour surveillance on and off for a month on Nauru.

Ms Kanis described the girl's as being in "a very severe medical condition" and that there were fears she "may attempt suicide again in the near future".

FULL STORY AT <http://www.canberratimes.com.au/federal-politics/political-news/child-to-be-brought-to-australia-from-nauru-for-medical-treatment-20180413-p4z9kf.html>

15. Manus refugees forced to phone Australia for medical advice after stabbing

ABC News

By Papua New Guinea correspondent Eric Tlozek

Posted April 10, 2018 09:01:58

Refugees on Manus Island say the drawdown of Australian-funded medical services forced them to call doctors in Australia for emergency care when one of them was stabbed repeatedly with a screwdriver during an armed robbery.

Emergency doctor David Berger received the distress call late on April 8.

"We got reports that a man had been mugged for his mobile phone by local people with a screwdriver, and that he'd been bashed in the face and got stab wounds to the upper chest and the neck," he said.

The refugee had been given basic treatment in the hospital on Manus Island and discharged, but Dr Berger — who is part of the group Doctors for Refugees — said he started to have breathing difficulties when he returned to the accommodation compound.

"There was a high possibility that this man had a potentially life-threatening condition of tension pneumothorax or internal bleeding," he said.

FULL STORY AT <http://www.abc.net.au/news/2018-04-10/manus-island-medical-care-inadequate-refugees-say/9635172>

16. Iranian asylum seeker whose church attendance 'dropped off' loses High Court immigration fight

ABC News

By Elizabeth Byrne and Jordan Hayne

Updated April 18, 2018 15:59:04

An Iranian man whose bid to stay in Australia was denied because authorities did not believe he had genuinely converted to Christianity has lost his High Court fight against the fast-track protection visa system.

A key piece of evidence used to make the decision was that the man's church attendance had dropped off in recent years.

However, the man may remain in Australia to appeal the decision on other grounds.

The man was challenging the fast-track visa process set up to clear the backlog of applicants, who arrived in Australia by boat between August 2012 and January 2014.

The man had arrived by boat, and argued he should not be sent back to Iran because he would be persecuted for converting to Christianity.

FULL STORY AT <http://www.abc.net.au/news/2018-04-18/high-court-iranian-convert-visa-denied-christianity/9672292>

17. High court upholds government's controversial fast-track refugee process

Iranian man fails in bid to overturn fast-track refugee determination for boat arrivals before 2014

The Guardian

Calla Wahlquist

Wed 18 Apr 2018 12.58 AEST

The high court has upheld the Australian government's controversial fast-track refugee assessment process after finding that a new body set up to review the claims of people who arrived by boat does not have to adhere to all the requirements of the Migration Act.

The decision is based on an application by an Iranian man who was denied a temporary protection visa in 2016 after his application was reviewed by the Immigration Assessment Authority (IAA), a fast-track body established to review the cases of “unauthorised maritime arrivals” who entered Australia between 13 August 2012, and 1 January 2014.

Lawyers for the man, known to the court as M174, argued he had been denied procedural fairness because he had not been given the opportunity to respond to information gathered by the Department of Border Protection and Immigration, which led to the department rejecting his claim.

In a unanimous decision handed down in Canberra on Wednesday, the high court found that the IAA’s power to review visa decisions is not lost if it fails to comply with provisions in the Migration Act 1958 that states applicants must be made aware of all “relevant information”.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/18/high-court-upholds-governments-controversial-fast-track-refugee-process>

18. Afghan refugee on Manus Island repeatedly stabbed with screwdriver

Man was stabbed in shoulders, back and neck after he refused to hand over phone to three men

The Guardian
Ben Doherty
Mon 9 Apr 2018 15.12 AEST

An Afghan refugee on Manus Island has been stabbed repeatedly with a screwdriver in a violent robbery in the island’s main town.

The Afghan man – held by Australia in its offshore processing regime on Manus – was assaulted at about 6pm on Sunday, when he was confronted near the Harbourside hotel by three men who demanded he hand over his phone. When he refused, they stabbed him repeatedly in the shoulders, back and neck with a screwdriver.

He was taken by other refugees to Lorengau hospital, where he was treated. The Iranian refugee and journalist Behrouz Boochani posted pictures online of the injured man.

“This refugee was beaten up by someone in Lorengau town yesterday. This is what the Australian government is doing on Manus Island,” Boochani said. “Keeping 600 men in a small town makes many problems.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/09/afghan-refugee-on-manus-island-repeatedly-stabbed-with-screwdriver>

19. Julie Bishop advised South Africa to ignore Dutton's comments, Pretoria says

Officials ‘could not believe’ reports of Australian home affairs minister’s remarks about white farmers

The Guardian
Jason Burke, Paul Karp and Ben Smee
Tue 3 Apr 2018 18.59 EDT

South African foreign ministry officials say they “could not believe” Peter Dutton’s comments about immigration and that when they asked Australia’s foreign minister, Julie Bishop, about them she effectively said they should ignore him. In comments to Guardian Australia, Dutton has again rejected claims that Australia has retracted its offer to white South African farmers to settle them in Australia on humanitarian visas.

The difference of opinion suggests Australia has attempted to smooth over offence by walking back the home affairs minister’s earlier comments that South African farmers deserved “special attention” but will still consider any applications for visas in the existing humanitarian stream.

Dutton triggered outrage in March when he said the farmers deserved “special attention” for visas to Australia to flee their “horrible circumstances” for a “civilised country”.

Ndivhuwo Mabaya, a spokesman for the South African Department of International Relations and Cooperation, said South African officials had met the Australian high commissioner initially to confirm the accuracy of the reports because they “could not believe that this comments were correct[ly] reported”. When Australia confirmed the statements, the South African government demanded a retraction.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/04/julie-bishop-advised-south-africa-to-ignore-duttons-comments-pretoria-says>

20. Peter Dutton contradicts Turnbull on immigration

'There is obviously a debate about congestion and about housing,' minister says

The Guardian
Amy Remeikis
Wed 11 Apr 2018 11.12 AEST

Peter Dutton has confirmed reports he discussed cutting Australia's immigration rate, contradicting Malcolm Turnbull's repeated denials that the conversations took place.

The prime minister emphatically denied a report in the Australian Dutton had suggested reducing Australian's immigration intake by 20,000 last year, a proposal which was reportedly shut down by Turnbull and Scott Morrison before it made it to cabinet.

"It is completely untrue, it is completely untrue, it is completely untrue," Turnbull said on Tuesday. "The article, the claim in the article, is false. Full stop. OK? Full stop."

But asked about the report on Wednesday, Dutton, confirmed that discussions canvassing different options had taken place, while maintaining he was not contradicting his leader.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/11/peter-dutton-contradicts-turnbull-on-immigration>

21. Peter Dutton's department blocked white South African farmer's asylum bid

A man who applied for asylum on the grounds of 'harm on the basis of his race' had his claim denied

The Guardian
Christopher Knaus and Helen Davidson
Sat 14 Apr 2018 08.04 AEST

Peter Dutton's department blocked a white South African farmer's asylum bid because its evidence showed "the vast majority of crimes against whites are not racially motivated".

A delegate for Dutton also shut down a second, separate asylum bid by a white South African woman who feared racially motivated persecution, arguing there was no evidence she "had been targeted because of her race or gender or that she would be targeted for this reason upon her return".

To be granted refugee status, an asylum seeker must have a well-founded fear of persecution for one or more of a number of legislated reasons: race, religion, nationality, membership of a particular social group, or political opinion.

The two decisions, both made by immigration authorities in 2015, appear to be at odds with Dutton's recent stance in support of protecting white South African farmers.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/14/peter-duttons-department-blocked-white-south-african-farmers-asylum-bid>

22. South African farmers don't need help, UN says, but people on Nauru do

ABC News
By political reporter Jane Norman
Posted April 16, 2018 16:20:28

The United Nations has urged Australia to resettle the refugees who have been languishing on Manus Island and Nauru for the past five years, rather than focusing on the plight of persecuted white South African farmers.

As pressure mounts within the Coalition to help resettle the farmers, the UNHCR has cast doubt on whether South African farmers can be classified as refugees and granted protection under Australia's humanitarian program.

"The UNHCR Regional Representation in Canberra has not received any queries from South African farmers seeking protection from Australia," said UNHCR spokesperson Catherine Stubberfield.

"Under the 1951 Refugee Convention, a person must be outside their country of origin in order to claim asylum."

In contrast, she said the hundreds of refugees on Manus Island and Nauru have sought protection "directly from Australia" and deserve the Government's attention.

"Those who have been forcibly transferred to Papua New Guinea and Nauru under the 'offshore processing' arrangement should be Australia's first priority after almost five years," she said.

FULL STORY AT <http://www.abc.net.au/news/2018-04-16/white-south-african-farmers-dont-need-australias-help-un-says/9663696>

23. Australia asked New Zealand to keep refugee offer on table, documents show

Government papers reveal Australia wants a backup plan in case efforts to re-home detainees in the US fall through

The Guardian
Eleanor Ainge Roy
Thu 12 Apr 2018 14.43 AEST

The Australian government has asked New Zealand to keep its offer to take up to 150 refugees on the table, despite turning down the offer for five years, documents show.

In November last year, the New Zealand prime minister, Jacinda Ardern, reiterated her government's offer to take up to 150 refugees after a weeks-long standoff at Manus Island detention facility led to a desperate humanitarian situation for the remaining detainees.

New Zealand has made the same offer to the Australian government since 2013, but it has been strongly and repeatedly refused. The Australian home affairs minister, Peter Dutton, described it as a "bad option" and suggested it may encourage people-smuggling boats to intensify their efforts to reach Australia.

"I don't rule it out, I never have," Dutton said at the time. "But at this point in time, it is the wrong decision to send people to New Zealand because in the end you'll start the boats, people will fill up the vacancies we've created in Nauru, you'll get the deaths at sea again. I'm just not going to preside over that arrangement."

Despite Dutton's reluctance, government papers obtained by Sky News show Australia asked the New Zealand government to keep its offer on the table, in case plans to re-home Manus Island detainees in the US fell through.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/12/australia-wants-new-zealand-to-keep-refugee-offer-on-table-documents-show>

24. Australia Unlawfully Detained Dozens Of People. One Was An 11-Year-Old Boy

The cases reveal shocking failures in Australia's immigration detention system.

BuzzFeed Australia
Paul Farrell
Posted on April 6, 2018, at 6:37 a.m.

Peter Dutton's Department of Home Affairs unlawfully detained 39 people in immigration detention during an 18-month period, including an 11-year-old boy who was removed from his home in Australia by Australian Border Force (ABF) officers.

Documents obtained by BuzzFeed News under freedom of information law reveal serious shortcomings in how the department handles visa decisions and takes people into immigration detention.

The issues flagged in the reports illustrate a range of problems and concerns with Australia's onshore immigration detention system not previously known. They include one case where department officers failed to remove a person who was unlawfully held in immigration detention because it was a public holiday in the ACT and nobody received correspondence from the person's lawyers.

FULL STORY AT <https://www.buzzfeed.com/paulfarrell/peter-duttons-department-took-an-eleven-year-old-boy-from>

25. Dutton urged to allow refugee families in Australia to apply for US resettlement

Labor push follows revelations a family of four split between Nauru and Australia since 2014

The Guardian
Helen Davidson
Tue 10 Apr 2018 13.53 AEST

Split up refugee families stuck in limbo because of Australian government policy could be reunited if Peter Dutton let them apply for US resettlement from Australia, the opposition has said.

The comment follows revelations by Guardian Australia that a family of four had been split between Nauru and Australia since 2014.

Australian Border Force has told the 27-year-old daughter on Nauru that they could be reunited but only if her mother and sister returned to the island. The mother is in Australia confined to a wheelchair and awaiting surgery, and doctors have said she cannot go back.

While the mother and one daughter are in Australia they cannot apply for resettlement in the US, offered under a deal struck between the Australian government and the Obama administration. More than 220 have been resettled, out of a promise of “up to 1,200”.

“Labor strongly supports the US refugee resettlement agreement and wants all eligible refugees – including those in Australia for medical treatment – to have the opportunity to apply for resettlement in the US,” the shadow minister for immigration, Shayne Neumann, said.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/10/dutton-urged-to-allow-refugee-families-in-australia-to-apply-for-us-resettlement>

Peter Dutton: 'Some leaders fall into the trap of abandoning principles'

Exclusive: Minister talks about why he holds on to his convictions, and his desire to be PM – one day

The Guardian
Ben Smee
Sat 7 Apr 2018 08.08 AEST

Peter Dutton, the home affairs minister and possibly the nation’s most divisive member of parliament is blunt about everything – even his own ambition. “Of course I want to be prime minister,” Dutton tells Guardian Australia. He pauses for half a beat. “One day”.

“I think it’s best to be honest about that, that’s an ambition long-held and is only realistic if stars align and an opportunity comes up.”

Dutton was Tony Abbott’s man. Then he was Malcolm Turnbull’s. Few question his loyalty, even as he emerges as the unofficial figurehead of the conservative wing of the Liberal party, and as right-wing commentators sing his praises and mention his name in dispatches about the leadership.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/07/peter-dutton-liberal-party-home-affairs-minister>

26. Peter Dutton says 'like minded' countries should rethink UN refugee convention

In interview with Guardian Australia, the immigration minister questions if the convention remains relevant

The Guardian
Ben Smee
Sat 7 Apr 2018 08.08 AEST

The home affairs minister, Peter Dutton, says “like-minded” countries should come together to review the relevance of the 1951 United Nations refugee convention, arguing the document is outdated and does not account for the modern movement of people.

In a wide-ranging interview with Guardian Australia conducted on Tuesday, Dutton flagged a reluctance to allow the elderly family members of immigrants to come to Australia, and a desire to incentivise new arrivals to move to regional communities. He also reaffirmed the country’s commitment to a non-discriminatory immigration policy.

Dutton said he agreed with statements made by the British prime minister, Theresa May, and others suggesting the UN convention relating to the status of refugees could be modernised “or at least an update of the way in which the convention works and what it provides for”.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/07/peter-dutton-says-like-minded-countries-should-rethink-un-refugee-convention>

27. Peter Dutton: details related to au pair decisions suppressed on privacy grounds

Tribunal says releasing full documents could make individuals 'reasonably identifiable'

The Guardian
Australian Associated Press
Tue 3 Apr 2018 19.13 AEST

Key details related to Peter Dutton's decision to grant visas on public interest grounds to two au pairs in 2015 must continue to be suppressed for privacy reasons, a tribunal has ruled.

In the first case, an au pair whose visa was cancelled at Brisbane's international airport in June 2015 was able to make a phone call and, within a couple of hours, Dutton approved a new visa using his ministerial discretion powers.

In November the same year, Dutton defied written warnings from his department that granting a visitors' visa to a second au pair was of "high risk" because she had previously been counselled about work restrictions.

Over the past two years, Dutton's department has been trying to suppress key details of the cases and the reasons underpinning the decisions.

Dutton insists he does not know the two individuals involved and that they did not work for his family, but said it would have been inappropriate for them to be deported.

The minister's office still refuses to answer specific questions about the identity of the au pairs' employers.

AAP sought access to details surrounding the cases under freedom-of-information laws but documents supplied in 2016 were heavily blacked out because of privacy provisions.

FULL STORY AT <https://www.theguardian.com/australia-news/2018/apr/03/peter-dutton-details-related-to-au-pair-decisions-suppressed-on-privacy-grounds>

28. Fears for asylum seekers as Nauru moves to cut ties to Australia's high court

Legal experts say end to long-standing arrangement could leave asylum seekers held in detention with 'virtually no rights'

The Guardian
Calla Wahlquist
Mon 2 Apr 2018 05.00 AEST

Nauru has severed a long-standing arrangement to allow appeals to the high court of Australia, impacting on the rights of asylum seekers to challenge the refusal of refugee status.

The high court is the final appellate court for Nauru, under an agreement between the two countries that has been in place since 1976. It can be terminated by either government with 90 days notice.

Matthew Batsiua, a former justice minister of Nauru who is one of 19 people charged over protests outside Nauru parliament in 2015, said the Nauru solicitor general Jay Udit told his lawyers on Friday that the Nauru government had given such notice in January or December.

The Australian Department of Foreign Affairs and Trade confirmed that Australia was notified of the termination on 12 December, meaning the 90 day period concluded on 12 March.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/02/fears-for-asylum-seekers-as-nauru-moves-to-cut-ties-to-australias-high-court>

29. Justice in Nauru curtailed as Government abolishes appeal system

ABC News
By political reporter Melissa Clarke
Updated April 02, 2018 07:14:20

Nauru's justice system is without any court of appeal, after the Nauruan Government severed ties with the Australian judicial system.

The move by the Pacific island's Government has left former Opposition MPs involved in highly-politicised cases with no avenue of appeal.

Their lawyers only found out about the change after a chance encounter with senior Nauruan officials on a flight to Brisbane.

The highest court in Nauru is its Supreme Court, but since the 1970s, defendants have been able to seek leave to appeal to the Australian High Court as a final arbiter.

Nauru wants to establish its own Court of Appeal to give the nation greater independence, but its Parliament is yet to vote on the matter.

Last month, the Government cited affordability and transparency as the motivation for change, as well as asserting the nation's sovereignty.

Australian jurist and former resident magistrate of Nauru Peter Law said he believed it was a laudable goal, but described the timing as "alarming".

It "indicates ... a political undercurrent to these actions," he said.

FULL STORY AT <http://www.abc.net.au/news/2018-04-02/nauru-now-without-court-of-appeal/9609524>

30. Former chief justice slams Australian Government as Nauru abolishes highest legal appeal process

ABC News

By political reporter Melissa Clarke

Updated April 03, 2018 19:53:52

The former chief justice of Nauru's Supreme Court has slammed the Australian Government for keeping quiet as Nauru abolished its highest legal appeal process.

The Nauruan Government secretly terminated the role of the Australian High Court as Nauru's final court of appeal, an arrangement that has been in place since the 1970s.

The move shocked the legal professions in both Nauru and Australia, as no notice of the change was given and an alternative appeals process is yet to be established.

Former chief justice, Australian Geoffrey Eames, said he had "no doubt whatsoever" that it was "politically motivated", given the timing has prevented critics of the Nauruan Government from appealing the outcomes of cases against them.

He was highly critical of the Australian Government too, given it was aware of the looming change but did not tell anyone.

"I think it's a disgrace that the Australian Government has kept this a secret," he said. 'This was a sucker punch'

FULL STORY AT <http://www.abc.net.au/news/2018-04-03/nauru-abolishes-highest-appeals-court-prompting-anger/9614324>

31. Nauru's former president accuses Australia of being complicit in 'political prosecution'

Nauru withdraws right of appeal to Australia's high court, blocking political protesters who were due for hearing

The Guardian

Ben Doherty

Tue 3 Apr 2018 19.57 EDT

Australia's high court cannot hear the appeal of three Nauruan political protesters, after the Nauruan government unilaterally withdrew the right of appeal to the high court, without informing them.

Lawyers for the the trio fear they could be in custody by Thursday, when their bail is reviewed.

The former Nauruan president Sprent Dabwido has accused the current government of running a political prosecution, and manipulating the criminal justice system to silence opponents – and Australia of being complicit in that.

FULL STORY AT <https://www.theguardian.com/world/2018/apr/04/nauru-withdraws-right-of-appeal-to-australias-high-court-blocking-political-protestors>

32. Martin McKenzie-Murray: Australia props up Nauru's 'out of control' president

As Nauru continues its crackdown on opposition and abolishes higher courts, Australia turns a blind eye in exchange for offshore processing. By Martin McKenzie-Murray.

The Saturday Paper
Edition No. 199 April 7 – 13, 2018
Martin McKenzie-Murray

On June 15, 2015, the Nauruan opposition MP Mathew Batsiua, a former justice minister, joined hundreds of locals in a march to the micro-state's parliament. They were aggrieved by what they described as serial abuses of power – cronyism, judicial interference, the expulsion of foreigners, draconian anti-speech laws, and the parliamentary suspension of Batsiua himself.

Another of the protesters was Nauru's former president, Sprent Dabwido, who described President Baron Waqa's government as having "dictatorial" instincts. The year before, Nauru's magistrate, the Australian Peter Law, was expelled from the country after he attempted to lawfully prevent the government's capricious expulsion of two of its residents. It was a naked abuse of power, and when Nauru's Chief Justice, Geoffrey Eames, issued an injunction, it was simply ignored. Eames, another Australian, was later refused re-entry to the country.

"Our intentions were to stage a peaceful protest," Batsiua tells me. "That's how we organised it. And peaceful protest is permitted under our constitution. All discussions beforehand were about peaceful collection at parliament precinct. No intention to cause any escalation. We were stopped by the police before we even reached parliament. We made our way through the police line, where there was another line at parliament. There was pushing and shouting that occurred between protesters and police. That's the extent of it."

FULL STORY AT <https://www.thesaturdaypaper.com.au/news/law-crime/2018/04/07/australia-props-naurus-out-control-president/15230232006056>

33. Refugees in Indonesia may be put to work

The UNHCR wants refugees in Indonesia to be able to work for food and shelter as resettlement options dry up and international aid budgets are stretched.

Aaron Bunch
Australian Associated Press
April 2, 2018:02am

Refugees in Indonesia may be put to work as the UN Refugee Agency battles a growing global humanitarian crisis, fewer resettlement options and stretched aid budgets.

The humanitarian agency has asked the Indonesian government to re-think its long-held policy of banning refugees from working so they could potentially pay their own way.

UNHCR country representative Thomas Vargas says some refugees have special skills and they could possibly trade their knowledge for food and housing.

"There are many refugees who speak English or Arabic, they could maybe provide courses in those languages and there are some who are agricultural experts, while others have special skills in the arts," Mr Vargas told AAP.

Mr Vargas said the UNHCR was negotiating for some of these people to be allowed to work and support themselves but an outcome would take time.

"In a country of 250 million people and a significant unemployment rate, it's hard politically for any government to say yes we want to provide jobs for all the foreigners who are here," he said.

FULL STORY AT <http://www.news.com.au/national/breaking-news/refugees-in-indonesia-may-be-put-to-work/news-story/3bafb202852233b682accac43b35793e>

34. Refugees in Indonesia selling sex to survive

Somalian refugees fleeing war and violence are being taken by people smugglers to Indonesia where many turn to sex work to survive.

Aaron Bunch
Australian Associated Press
April 2, 2018:02am

Homeless mother-of-three, Nimo, fled to Indonesia from Somalia after Islamists killed her family, but with prostitution as the only way to survive, she tearfully says her life in Jakarta is "much harder" than her war-torn homeland.

Indonesia has traditionally been a transit nation for asylum seekers but in recent months the UNHCR has been meeting with refugees to tell them they'll probably never be resettled somewhere else.

That means people such as Nimo face the prospect of spending much longer in the country than they first anticipated. And, for many women, it means working as they'd never imagined - in the sex trade.

Melbourne-based Human Rights Law Centre spokesman Daniel Webb says the suffering of refugees on our Australia's doorstep exposes the cruelty of the government's obsession with so-called deterrence.

"The people our government secretly turns back or frightens away don't just vanish off the face of the earth - they're being forced to suffer elsewhere," he tells AAP.

FULL STORY AT <http://www.news.com.au/national/breaking-news/refugees-in-indon-selling-sex-to-survive/news-story/39f093a547626b282a7ea25d5e43cdab>

35. Indonesia tougher than Somalia for refugees

After Somalian militants burned down her hotel, Igra fled to Indonesia for safety, but the former business owner has fallen through the aid safety net.

Aaron Bunch
Australian Associated Press
April 2, 2018:01am

Somalian refugee Igra hadn't heard of Indonesia before being dumped in Jakarta by people smugglers.

The former hotel owner fled her civil war-wracked country in 2015 after militants threatened to cut off her hands for refusing to close down her business.

"Al-Shabaab said we don't want you to work in a public place, you're a woman. They caught me and beat me for seven days," she tells AAP through a translator.

"After that, they burned down my hotel, so my father said just leave, save your life."

The 27-year-old reveals her family was murdered by the militants after she fled. Igra paid traffickers to smuggle her to safety.

"They promised me a better life in a peaceful place where I could work but instead they brought me to Jakarta," she said.

FULL STORY AT <http://www.news.com.au/national/breaking-news/indon-tougher-than-somalia-for-refugees/news-story/c8d5064c950d86de01a310956148830d>

36. The heartbreaking life of Somali refugee women in Indonesia – in pictures

Escaping unimaginable atrocities in their home country, the refugees face poverty, hunger and homelessness in Jakarta

The Guardian
Aaron Bunch, Australian Associated Press
Mon 2 Apr 2018 11.59 AEST

Stahil, a homeless Somali refugee in Jakarta prepares to pray in a boarding house. The 23-year-old, whose family rejected the al-Qaida-affiliated al-Shabaab group's version of Islamic law, fled Somalia after her father was murdered and she was targeted for shaking hands with a man. There is 'severe hunger' here, she says.

FULL STORY AT <https://www.theguardian.com/world/gallery/2018/apr/02/the-heartbreaking-life-of-somalia-refugee-women-in-indonesia-in-pictures>