

Project SafeCom News and Updates

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1. Radicalisation a social, not national security problem: Minister

Sydney Morning Herald
October 2, 2015
Mark Kenny

The federal government's assistant minister for Multicultural Affairs has called for a fundamental rethink of Canberra's counter-terrorism strategy to create a clear distinction between the radicalisation of Muslim youth on the one hand, and the national security challenge on the other.

In a marked departure from the Abbott government's holistic approach, which treated the grooming and recruitment of young Muslim men as synonymous with the home-grown terrorist threat, Senator Concetta Fierravanti-Wells believes the two issues should be separated.

"We have looked at this issue as a national security issue, with perhaps some social overtones, [whereas] I believe, with our young people at risk, this issue is a social issue with a national security perspective," she said.

She said "radicalisation" can be more effectively countered if viewed as stemming from social disaffection, rather than in its worst manifestation as a national security threat.

The Italian-Australian Senator Fierravanti-Wells, who has had a life-time of first-hand bi-cultural experience, said far more work needed to be done understanding the root causes of youth alienation, which can be acute among cultural minorities. This would allow policies to be targeted at its causes rather than its results.

Her frank comments are derived from numerous closed-door consultations with some 160 Muslim leaders and smaller community groups across the country, in which it became apparent that the government's approach had backfired.

"If your measure of success is how many kids you've been intercepting at the airport, well, for goodness sake, we haven't been very successful because the number of kids that we're picking up at the airport has increased, it hasn't decreased, it's actually increased," she said.

"Let's look at who these kids are," she said.

"There is no doubt that amongst them, there are some hard-core criminals, but amongst them, there are kids who are basically disengaged, disenfranchised.

"I've sat with the mothers who are absolutely petrified about where their kids are going ... so now you've got the mothers in these communities that are at risk, and under threat because they're worried their kids who they don't want to go here and they don't want to them to go there, so the kids are rebelling anyway."

Senator Fierravanti-Wells believes a more fruitful approach is to understand the unique experience of young men, especially those from Muslim minorities, what it is they are escaping and what aspects of the radical sales pitch speaks to that alienation.

In comments amounting to a direct repudiation of the rhetoric of former prime minister Tony Abbott, who had called on Muslim leaders to take greater responsibility for their own communities, Senator Fierravanti-Wells revealed mainstream Islamic communities had effectively closed up shop, becoming progressively alienated from the federal government and its security apparatus under Mr Abbott's leadership.

In February, Mr Abbott offended some community leaders and frustrated security and intelligence agencies by appearing to sheet home the responsibility for defeating terrorism to the Islamic community.

"I've often heard Western leaders describe Islam as a religion of peace. I wish more Muslim leaders would say that more often and mean it," he said during a multi-flagged media event at the Canberra headquarters of the Australian Federal Police.

"Everybody, including Muslim community leaders, needs to speak up clearly, because no matter what the grievance, violence against innocents must surely be a blasphemy against all religion."

Privately, security officials complained that such rhetoric has not helped in building trust and maintaining maximum intelligence flow from community leaders to police and other authorities.

Senator Fierravanti-Wells said young people go "off the rails" for all kinds of reasons but when they do, it is the first person who speaks to them that can tempt them in a new direction, whether that involves drugs, gambling, or in some cases, membership of an organisation offering respect and potentially even the glamour of war.

<http://www.smh.com.au/federal-politics/political-news/radicalisation-a-social-not-national-security-problem-minister-20151002-gjzve8.html>

2. New Zealand prime minister John Key says detainment of NZ citizens by Australia 'not in Anzac spirit'

ABC News Online

By political reporter Dan Conifer

First posted Wed 30 Sep 2015, 9:37am

Updated Wed 30 Sep 2015, 4:10pm

New Zealand prime minister John Key says Australia's detainment and deportation of his citizens goes against the "Anzac bond and Anzac spirit" between the two nations.

The visas of foreign nationals sentenced to at least one year's jail are automatically cancelled, following an Australian Government crackdown last year.

At least 80 New Zealanders have been deported from Australia this year, while 23-year-old Junior Togatuki died in Goulburn Jail earlier this month awaiting deportation.

Mr Key said he was "blunt" with Australia's Foreign Minister Julie Bishop when discussing the issue on the sidelines of the United Nations General Assembly in New York.

"I had a good chat to Julie [Bishop] about it and I was pretty blunt," Mr Key said.

"I said that there is a special relationship between New Zealand and Australia and you challenge that relationship to a degree when you see New Zealanders being treated ... in this way," Mr Key told Radio New Zealand.

"There is an Anzac bond and an Anzac spirit ... that surely means we might get some treatment that's different from other countries."

Mr Key said it is as if Australia is going to "pick and choose" people to keep and deport.

"It's a little bit like the Australians are saying, 'well we're going to pick and choose, we're going to keep the ones we like but we're going to send back the ones we don't like'," he said.

"I do think Australia has to think about this from the long-haul, both the way that New Zealanders are treated long-term in Australia, and also this issue."

Mr Key said it was "going to be one of the most important issues" he will raise during his first leaders' meeting with newly appointed Prime Minister Malcolm Turnbull.

Ms Bishop said she agreed the issue needed further discussion.

"I discussed more generally with Prime Minister Key and with foreign minister [Murray] McCully whether there are other arrangements that Australia and New Zealanders could reach in relation to the deportation of New Zealanders," she said.

"There is no closer relationship than Australia and New Zealand, and so I think it's appropriate that we consider this matter as Prime Minister Key has asked us to do."

'I just hope we receive answers'

Mr Togatuki's sister, Jean Togatuki, told Radio New Zealand the death of her brother has been devastating, but she is heartened his case has gained attention.

"It's really overwhelming, it's a shock to us, the family didn't think it would gain much publicity ... to help us get answers as well," she said.

"It's really gone haywire, it's gone to the top and I really am, I'm a bit confident about it, but I just hope we receive the answers."

Border Force statistics show of the 2,028 people in immigration detention at the end of August, 184 were from New Zealand.

<http://www.abc.net.au/news/2015-09-30/john-key-australia-detaining-nz-citizens-not-in-anzac-spirit/6816090>

3. David Manne & Kate Bones: You should try walking in these people's shoes, Mr Turnbull

The Age
September 28, 2015 - 12:15AM
David Manne and Kate Bones

The conscious, calculated cruelty of our detention centres on Manus Island and Nauru must stop.

Last week we saw the Australian government's first recognition that offshore processing of asylum seekers is a problem – a problem that won't go away. Prime Minister Malcolm Turnbull's instinctive disquiet about the arrangements hinted at a deeper truth our country must confront: that this policy of exiling those seeking our protection to Nauru and Manus Island is unsustainable on any measure – whether human, moral, legal, financial or practical.

As evidence mounts of the immense – and scandalous – human and financial costs of this policy, it was a timely acknowledgement that the policy has to change. We cannot keep spending billions of dollars to exile, incarcerate without end, and then ultimately destroy, vulnerable children, women and men – people we are morally and legally duty-bound to protect.

Evidence of the cruelty and degradation inflicted on asylum seekers held on Nauru and Manus is overwhelming. A swathe of reports from bodies such as the UN Refugee Agency, Human Rights Watch and Amnesty International have consistently concluded that the policy is violating human rights and causing untold harm to people held there.

Independent bodies such as the Australian Human Rights Commission and the Moss Inquiry have confirmed widespread allegations of child abuse, sexual assault and rape in detention on Nauru. Children are suffering from extreme physical, emotional, psychological and developmental distress tantamount to child abuse. Self-harm is rife. Doctors have spoken out against appalling inadequacies in medical care.

Perversely, these conditions replicate the kind of inhumanity from which so many asylum seekers have fled. People are detained indefinitely in subhuman conditions. Their freedom of expression and communication is suppressed. They are subject to additional brutality from those in power over them. A young Iranian man, Reza Berati, lost his life due to this brutality.

Despite serial denials by the government, as a matter of law there is no doubt that Australia is responsible for this deplorable harm, given that we fund and effectively control these operations on Manus and Nauru.

In these times of humanitarian crises and fiscal pressure, there are so many better ways that these billions of dollars could be spent. They could be applied to making an even greater contribution to protecting some of the 60 million people fleeing conflict and persecution globally, starting with those who've sought refuge here. While we've agreed to give an extra \$44 million to the UNHCR for the Syrian refugee crisis, we will spend more than 10 times that amount to continue the detention of the 1500 people on Nauru and Manus for another year.

Last year, the government-appointed Commission of Audit indirectly highlighted the case for change when it calculated that the annual cost of keeping an asylum seeker in offshore detention exceeded \$400,000 – more than 10 times the cost of processing an asylum seeker in the Australian community.

For those subject to offshore processing, there is currently no end in sight. The proposed resettlement options for recognised refugees are expensive dead-ends. Recognised refugees on Manus Island are living in a funded "transit centre", with few basic freedoms, in fear and with no real prospects of resettlement in PNG. Even the improbable plan of "resettling" refugees in the impoverished and insecure Cambodia seems to have disintegrated, with just four refugees taking up the offer. This plan has cost Australia \$55 million thus far – another stark sign of unsustainability.

It's worth remembering that when offshore processing was revived in 2012, it was only envisaged as a short-term "circuit breaker" and not as a long-term solution. But as the policy now stands, people are being held in indefinite exile.

The principal justification remains the alleged necessity to deter others from coming by boat. But in truth, this conscious, calculated cruelty is not necessity – it's a choice. And the wrong one. The ethical rock on which our policies must stand is that it is never acceptable to inflict irreparable harm on innocent people we are obliged to protect.

We have shown our capacity for compassion in response to the Syrian crisis, lifting the intake of Syrian refugees by 12,000. Yet at the same time, our policies are rapidly destroying the lives of refugees on Nauru and Manus, including Syrians who have fled the very same dangers as those we've agreed to resettle. The inconsistency is impossible to reconcile.

And herein lies the rub – epitomised by Turnbull's swift transition from "concern" about the suffering of those in limbo to dispelling any hope of a major policy shift in the short-term which could alleviate it.

Locking in a policy where the only outcome can be suffering without end is untenable. We must urgently move beyond sloganeering to an honest dialogue that recognises that the policy never was and never can be a long-term solution. There

must be immediate action to improve conditions and ameliorate abuse while making those operating the camps more accountable. But we must also face the fact that offshore processing of this kind cannot be done humanely, and that human warehousing cannot be done decently. The agony of those currently condemned to a life of limbo must end. Attention must turn to viable alternatives, which involve expanding resettlement options in places where those judged in need of protection can rebuild their lives in safety and with dignity. The billions current being invested in the misery of offshore processing should instead be spent developing a co-operative protection system in our region in which the responsibility for rescuing and resettling refugees humanely is shared among the countries of our region.

As Malcolm Turnbull said last week, it's important for leaders to possess "the empathy to walk in somebody else's shoes". We, as a nation, must also find the moral and humanitarian imagination to walk in the shoes of those held in limbo on Manus and Nauru. If we don't, we place in jeopardy not only their lives, but the kind of society we want to live in.

David Manne is executive director and Kate Bones is a lawyer at the Refugee & Immigration Legal Centre.

<http://www.theage.com.au/comment/australias-policy-on-dealing-with-asylum-seekers-must-change-20150927-gjvvl2.html>

4. 'Crucial test': 450 University of Sydney staff urge Turnbull government to stop asylum seeker 'torture'

The Age
October 1, 2015 - 3:43PM
Nicole Hasham

Almost 450 University of Sydney staff have demanded the Turnbull government intervene in the "torture and abuse" of refugees at Manus Island and Nauru, saying the issue is "a crucial test of the moral mettle of our society".

An open letter signed by academics including department chairs, as well as management and administrators, says allegations of torture and mistreatment of asylum seekers continue to emerge.

While Australians might have first disbelieved "such repugnant acts could be committed by a society that perceives itself to be just and humane", the evidence is now "overwhelming".

Prime Minister Malcolm Turnbull is an alumnus of the institution, having graduated with degrees in arts and law before winning a Rhodes scholarship.

The letter described the Australian Border Force Act, which prevents detention centre workers from speaking about conditions inside and threatens them with imprisonment, as "abhorrent".

"Circumstances in immigration detention centres ... [have] nothing whatsoever to do with national security," it says.

"We are deeply distressed at the erosion of our society's democratic ethos and of its core freedoms that such legislation represents."

The signatories wrote that as members of an institution at the forefront of Australian social and cultural life, it was their duty to raise concern.

"The government acts in our name and on our behalf; it must remain accountable for both the treatment of its citizens and of all others who come to our shores," they said.

The letter called on "each person as he or she is able and sees fit" to demand federal MPs intervene decisively on the issue.

"The issue of Australia's treatment of refugees constitutes a crucial test of the moral mettle of our society and of the Australian spirit," it said.

The letter has 445 signatories, comprising 375 academics and 70 management and administrative staff.

Open letter to Malcolm Turnbull:
<https://www.scribd.com/doc/283297459/Open-letter-to-Malcolm-Turnbull>

<http://www.theage.com.au/federal-politics/political-news/crucial-test-450-university-of-sydney-staff-urge-turnbull-government-stop-asylum-seeker-torture-20150930-gjykp.html>

5. Academics urge end to 'abuse and torture' of asylum seekers

Nearly 450 University of Sydney staff sign open letter urging public pressure on government over Nauru and Manus Island detention centres

The Guardian
Ben Doherty
Friday 2 October 2015 15.25 AEST

Nearly 450 academics and staff from the University of Sydney have signed an open letter to the people of Australia, urging a campaign of public pressure on the government to stop the “abuse and torture” of asylum seekers and refugees on Manus Island and Nauru.

The letter comes as new allegations of rape and assault continue to emerge from within the offshore detention centre regime and from inside detention centres on Australian soil.

The letter says allegations of torture and general mistreatment have plagued the Australian-run offshore and onshore detention centres for years.

“Initially, perhaps, such allegations were dismissed by Australian citizens, in disbelief that such repugnant acts could be committed by a society that perceives itself to be just and humane.

“The mounting evidence, however, of torture and abuse – including testimonies given by refugees themselves, as well as evidence submitted by former employees and contractors who worked in the detention centres – is overwhelming.”

The university staff also condemned as “abhorrent” the Border Force Act 2015, which carries a prison sentence of up to two years for publicly disclosing conditions or treatment of asylum seekers inside the Nauru and Manus detention centres.

There is no national security rationale to justify gagging whistleblowers in immigration detention, the letter says.

“We are deeply distressed at the erosion of our society’s democratic ethos and of its core freedoms that such legislation represents.”

The prime minister, Malcolm Turnbull, said this week allegations of rape on Nauru were “very alarming”, but the government was “taking a number of steps to work closely with the Nauru government to ensure the safety and the security of all the refugees living in that community.”

“The whole government is very committed to ensuring that women – that all of the transferees and refugees, but in this context women and children – are absolutely safe in that environment.”

Turnbull conceded that the offshore detention regime was “harsh”, but said it was effective in stopping drownings at sea.

“The one thing we know is these policies, tough though they are, harsh though they are in many respects, actually do work, they save lives,” he said.

But the Sydney University letter – signed by 375 academics and 70 management and administrative staff – said the government could not idly accept the torture of people under its care, which “stands in contradiction to ... ‘Australian values’”.

The letter calls on the Australian public to demand change from the government.

“This letter represents an expression of deep concern, as well as a call to action – to each person as he or she is able and sees fit – to demand of members of the Australian parliament decisive intervention on this matter.

“The issue of Australia’s treatment of refugees constitutes a crucial test of the moral mettle of our society and the Australian spirit in general.”

<http://www.theguardian.com/australia-news/2015/oct/02/university-of-sydney-urges-end-to-abuse-and-torture-of-asylum-seekers>

6. Refugee law experts urge Malcolm Turnbull to let detention centre staff speak to UN

More than 60 academics write open letter saying workers should be free to report human rights abuses after special rapporteur François Crépeau cancels trip

The Guardian
Ben Doherty

Tuesday 29 September 2015 09.25 AEST

Australia should allow immigration detention centre workers to report human rights abuses to UN representatives without fear of imprisonment, academics and refugee law experts have argued in an open letter to the prime minister.

More than 60 academics have penned an open letter to the new prime minister, Malcolm Turnbull, urging his government to allow detention centre workers to speak freely – and without fear of prosecution.

The gagging of detention centre workers – long a controversial element of the Border Force Act – took on new prominence last Friday when François Crépeau, the UN's special rapporteur for the human rights of migrants, took the extraordinary step of issuing a statement saying he had indefinitely postponed his official visit to Australia because he feared staff would face "reprisals", including jail, for speaking to him.

Many of the academics who signed Monday's letter were due to meet with Crépeau next week. No plans have yet been made to reschedule his visit.

Under the Australian Border Force Act 2015, in force since July, immigration detention centre employees could face a prison term of up to two years for speaking out about conditions or treatment of those held inside detention.

But the act also allows for the secretary of the Department of Immigration and Border Protection to authorise staff to disclose information to external organisations, such as the UN.

On Monday, 64 academics from the field of refugee and migration studies signed a letter urging the Australian government to allow the UN's representative to work without hindrance, and for detention centre staff to speak without fear of reprisals.

The signatories to the letter include Prof Mary Crock, Prof Ben Saul and Prof Stephen Castles from the University of Sydney, Prof Jane McAdam from the Kaldor centre for international refugee law at the University of New South Wales and Prof Sarah Joseph from the Castan centre for human rights law at Monash University.

"Although the Australian government could allow a detention centre worker to speak to the special rapporteur without the risk of prosecution, it has chosen not to do so in this case," the letter says. "This calls into question the Australian government's claim that it is willing to cooperate with UN procedures in good faith.

"In this instance, the government has refused to abide by the UN guidelines for fact-finding missions by special rapporteurs, which require that the special rapporteur have complete freedom of inquiry, access to detention facilities, and official assurances that no one who discloses information to the special rapporteur will be subjected to judicial proceedings for that reason."

The academics write they are also concerned Crépeau has been denied access to the Australian-run offshore detention centres on Nauru and Manus Island, Papua New Guinea, especially after a number of parliamentary findings, government inquiries, and "independent reports about serious human rights violations in those places".

The detention centres on Nauru and Manus Island have been the sites of violent riots, child sexual abuse allegations, inadequate medical care, assaults and other human rights breaches, and have consistently been condemned by the UN, human rights groups and parliamentary inquiries.

The ABC reported on Monday night that another two female refugees have reported being raped to police on Nauru.

A spokesman for the immigration minister, Peter Dutton, said Crépeau's decision to abandon his trip was "disappointing and unfortunate" but the government stood ready to arrange a future visit.

"The department of immigration worked closely with the office of the special rapporteur to develop a comprehensive program and facilitate engagement across government," he said. "The program included meetings with key government officials, service providers, other organisations and visits to the detention network."

The spokesman said access to the detention centres offshore on Papua New Guinea and Nauru was the responsibility of those countries.

He said a number of organisations, including the Australian Human Rights Commission, the commonwealth ombudsman, the UN high commissioner for refugees, the International Committee of the Red Cross, and the International Organisation of Migration had visited detention centres "without the need to respond in this way".

Guardian Australia has put questions to the immigration department asking whether it would be prepared to allow detention centre workers to speak to Crépeau, free of the restrictions of the Border Force Act. It has not yet received a response.

<http://www.theguardian.com/australia-news/2015/sep/29/refugee-law-experts-urge-malcolm-turnbull-to-let-detention-centre-staff-speak-to-un>

7. Australia's treatment of asylum seekers may damage UN Human Rights Council bid, Gillian Triggs says

ABC News Online

By political reporter Stephanie Anderson

First posted Wed 30 Sep 2015, 11:22am

Updated Wed 30 Sep 2015, 2:31pm

Human Rights Commission president Gillian Triggs says Australia's "willingness" to resist international human rights standards may damage the country's bid for the United Nations Human Rights Council.

Professor Triggs told the ABC that Australia's bid to join the council for the 2018-20 term could be undermined by a "decline in our compliance with international law", adding the recent criticism from the UN special rapporteur on human rights was concerning.

"I think if you look at the record of Australia over the last 10 years or so, there has been a decline in our compliance with international law and a willingness of our political leaders generally to resist the international human rights standards," she said.

"There is definitely a risk that we would fail to get the votes for the council."

Professor Triggs said while Australia's overall record should justify a position on the council, the country's treatment of asylum seekers was a major matter of concern.

"We have a good record here in Australia, but we fall down seriously on this one issue," she said.

"The question is going to be where are the votes going to go at the Human Rights Council? Will they say, 'Australia shouldn't be a part of that council in the current context?' That would be disappointing and a mistake, but it is a risk."

Australia's human rights record 'deplorable': Greens leader

Professor Triggs's comments come just days after the UN special rapporteur Francois Crepeau cancelled a planned visit to Australia, citing concerns over immigration issues.

Mr Crepeau had planned to visit Australia from September 27 to October 9, at the invitation of the Government, but backed out due to "the lack of full cooperation from the Government regarding protection concerns and access to detention centres".

Foreign Minister Julie Bishop told media in New York she had spoken to Mr Crepeau and explained why the Coalition "took the stand that we did" on border protection controls.

"When the Government has control of our borders and control of our immigration processes, then we're in a position to offer 12,000 additional permanent places to people who are displaced from the Syrian conflict," she said.

"And so those kind of issues are put in context and I took the opportunity to do just that."

If elected to the council, Ms Bishop said Australia would use the position to push on issues such as gender equality.

"We are an international leader in advancing the rights of women and girls, strengthening governance and democratic institutions, and promoting freedom of expression," she said.

"Australia would also be a leading advocate for global abolition of the death penalty."

But Ms Bishop's response did not placate the Greens, whose leader Richard Di Natale said the Government needed to sort out its "deplorable" human rights record before pushing to join the Human Rights Council.

Senator Di Natale said Australia was not taking its human rights responsibilities seriously.

"Look at the issues around refugees and at some of the treatment that's going on in our offshore detention network," he said.

"We're being criticised by a number of human rights organisations. Our record is deplorable and we need to sort that out."

'We'll really have to get our skates on'

Labor's foreign affairs spokeswoman Tanya Plibersek also voiced concerns over the push to join the council, saying "we'll have to really get our skates on to be successful".

Ms Plibersek said Labor supported the bid but was worried over recent feedback relating to Australia's action on climate change and asylum seekers.

"I've just returned recently from Washington and New York where any number of people raised with me their concerns about the world going in one direction on these big issues of global concern and Australia going in exactly the opposite direction," she said.

"I think the Australian Government will certainly have some explaining to do during the course of its bid for the Human Rights Council spot."

Ms Plibersek also acknowledged the presence of countries including Saudi Arabia on the council, stating "there are countries that don't have the human rights record that Australia would think appropriate".

UN the 'only game in town': former ambassador

Australia has also announced it would be a candidate for a non-permanent seat on the UN Security Council in 2029-30.

Former Australian ambassador Tony Kevin said lobbying for a seat on the Security Council and the Human Rights Council was "absolutely doing the right thing".

Mr Kevin said the bid would be successful "if we show that we're prepared to think for ourselves and prepared to make our own judgments ... and not simply be an additional vote for Washington, which is what we were under Tony Abbott".

He said it was "appropriate" for Australia to seek a seat on the Human Rights Council.

"We haven't done it in the past, we've been frightened of it," he said.

"And I think we've got to stand up for our values, whatever they are, and make a claim as a self-respecting member of the UN.

"The United Nations is all we've got in terms of international cooperation in a world of 160-plus sovereign states.

"Yes we know many of them have dubious records, but we can't really hold our nose and say, 'no, we're not going to play in that game because the UN is the only game in town'."

<http://www.abc.net.au/news/2015-09-30/record-on-asylum-seekers-may-hurt-un-council-bid-gillian-triggs/6816498>

8. Rosie Batty among 1,200 people to call on Malcolm Turnbull to shut down offshore detention centres

ABC Radio CAF - The World Today

By Rachel Brown

First posted Fri 2 Oct 2015, 11:05am

Updated Fri 2 Oct 2015, 1:06pm

An open letter, signed by more than 1,200 people, including Australian of the Year Rosie Batty, is calling on Prime Minister Malcolm Turnbull to shut down the Manus Island and Nauru immigration detention centres.

They argue that conditions at the offshore centres perpetuate violence against women, children, families and gay men.

Ms Batty wrote in the letter: "Those who care about violence against women and children need to care about what happens to people elsewhere under our care."

Chris Atmore from the Federation of Community Legal Centres, a signatory to the letter, agrees anything else would be hypocritical.

"Any claim by Prime Minister Turnbull or the Minister for Women about taking violence against women seriously, to take that at face value we think must also mean that they have to address Australia's current refugee policy and close the detention centres," she said.

The open letter was sparked by the alleged rape of a 23-year-old Iranian woman on Nauru.

Joseph Pugliese, a professor of cultural studies at Macquarie University, said the fact it took three months and pending organ failure to get her to hospital is unforgivable.

"We feel we've crossed a line," he said.

"We've got sexual assault, physical abuse, physical assault on women, children and gay men."

The open letter lists other cases of sexual assault, threatening letters and marijuana-dependent inmates trading sex for drugs.

Professor Pugliese said Australia's policy of deterrence and the detention conditions that spark violence, are tantamount to a program of torture.

"I've been working in the field of US torture for the last 14 years, since 2001, and really, I can see such clear parallels between the sorts of practices that were perpetrated against detainees by, say, the CIA in black sites or at Guantanamo or Abu Ghraib and what is happening to our refugees and asylum seekers in those offshore detention sites," he said

Turnbull vows to work with Nauru government

Earlier this year the UN Special Rapporteur on Torture found Australia is violating international conventions.

The then prime minister Tony Abbott replied by saying Australians were "sick of being lectured to by the UN".

When asked about this week's 7.30 story detailing rapes on Nauru, Mr Turnbull said it revealed an alarming issue.

"We take that very seriously, so we're taking a number of steps to work closely with the Nauru government to ensure the safety and the security of all the refugees living in that community," he said.

Anti-violence campaigners who have signed the open letter are hoping Mr Turnbull will help heal what Liberal backbencher, Russell Broadbent, calls Australia's "weeping sore".

Professor Pugliese said he believes that Australia's chance at a 2018 seat on the UN Human Rights Council will be jeopardised by its asylum seeker policy.

"We're literally sanctioning the violation, in the most violent ways, really, when we're talking about rape against women and children, sexual assault," he said.

"How can we take an international, principled stand and have credibility as a nation if we're not stopping and taking adequate legal measures to punish the perpetrators of these crimes that are happening in our offshore detention centres."

<http://www.abc.net.au/news/2015-10-02/batty-calls-on-turnbull-to-shut-down-offshore-detention-centres/6822976>

9. Rosie Batty takes on Malcolm Turnbull over detention centres: 'They must be shut down'

Sydney Morning Herald
October 2, 2015 - 2:10AM
Tom Allard

Australian of the Year Rosie Batty has called on Prime Minister Malcolm Turnbull to close Australia's offshore detention centres, saying they are "by their very design, unsafe and dangerous places".

Ms Batty's intervention, along with strong protests by other prominent women, academics and MPs within the Coalition, heaps more pressure on the government to take action amid allegations of rampant sexual violence, self harm and mental torment on Nauru and PNG's Manus Island.

"These centres cannot be patched up. They must be shut down," Ms Batty said. "The people forcibly held there are those who sought protection in this country. They deserve care, not punishment."

Ms Batty, a leading campaigner against domestic violence, made the remarks in a letter sent to Mr Turnbull on Thursday by Researchers Against Pacific Black Sites, a group of academics concerned by human rights abuses in the centres.

It comes amid harrowing tales of rape and sexual abuse of women on Nauru, including the airing of a distressing phone call from a young Somali woman to Nauru police after being allegedly raped by a group of men.

It took the police four hours to attend to her, ABC's 7.30 program reported on Monday.

At least two other women have also been raped or assaulted on the island, including Nazanin, an Iranian woman who was repatriated to Australia for treatment three months after the incident, but only after a public campaign and after twice attempting suicide and suffering organ failure when she stopped eating.

Mr Turnbull on Thursday said the reports were "very alarming".

But, while saying the government was improving safety and security and helping Nauruan police establish a gender violence unit, he remained steadfast that the detention centres would remain in place as they deterred asylum seekers taking the risky journey by sea to Australia.

"The one thing we know is these policies, tough though they are, harsh though they are in many respects, actually do work, they save lives," the Prime Minister said.

The letter is part of the "Out of Sight NOT Out of Mind" campaign led by Researchers Against Pacific Black Sites that aims for domestic violence organisation to expand their advocacy to the "torture" that is taking place in offshore detention centres.

Ms Batty says: "Those of us who care about violence against women, children and other vulnerable people at home need to care about what happens to these same people elsewhere who are under our care.

"The Australian government funds the offshore detention centres on Nauru and Manus Island. The centres are, by their very design, unsafe and dangerous places."

Last week, Ms Batty stood alongside Mr Turnbull and Minister for Women Michaelia Cash to announce new funding to counter domestic violence.

Mr Turnbull used the occasion to declare that "violence against women is one of the great shames of Australia".

Ms Cash "reassured" Australians "that all women in Australia and their children should be safe at home, should be safe on the streets and should be safe online".

Suvendrini Perera from Researchers Against Pacific Black Sites said there was a glaring omission in the commitment - the treatment of vulnerable asylum seekers that Australia has sent to Nauru.

"Our government has recently condemned violence against women domestically, but if it is truly committed, it should act to the same kinds of violence being perpetrated in Australia's name abroad," Professor Perera said.

As well as Ms Batty's Luke Batty Foundation, other signatories to the letter to Mr Turnbull include the Australian Council of Social Service, the Australian Women Against Violence Alliance, the National Council of Single Mothers and their Children and the Australian Muslim Women's Association.

Figures provided by the operator of the centres, Transfield Services, show there were 33 allegations of rape or sexual assault between September 2012 and April 2015 on Nauru.

This represents an incident about every month, although refugee advocates insist this vastly understates the true extent of the problem.

Of these, Transfield reported that nine were considered major or critical incidents.

Over the same period, there were 263 incidents of self-harm in Nauru, or once every four days. In addition, there were 211 reports of assaults judged major or critical incidents.

As of August, there were 650 asylum seekers on Nauru, including 93 children.

On Manus Island there are 936 male asylum seekers.

Former Coalition MP Judy Moylan, ex-WA premier Carmen Lawrence and business woman Janet Holmes a Court are among 20,000 women to have signed a separate petition urging the removal of asylum seekers from the offshore centres.

On Thursday, 445 academics from the University of Sydney wrote to Mr Turnbull demanding he intervene amid "overwhelming evidence" of "repugnant" acts of abuse on Nauru and Manus Island

Last week, Liberal MP Russell Broadbent urged Mr Turnbull to fix the "weeping sore" of offshore detention starting with the removal of children.

<http://www.smh.com.au/federal-politics/political-news/rosie-batty-takes-on-malcolm-turnbull-over-detention-centres-they-must-be-shut-down-20151001-gjz5zq.html>

10. Australian immigration detention costs double that of US and Europe – report

Australia pays US\$459 for each day a person is kept in detention, compared with \$224 in the US and just \$134 in Canada and Austria

The Guardian
Ben Doherty and Nick Evershed

Thursday 1 October 2015 17.15 AEST

Immigration detention in Australia is more than twice as expensive as in comparable countries in Europe and North America, new research has found.

Australia pays US\$459 each person a day to keep asylum seekers and other migrants in immigration detention, according to a report, *There Are Alternatives*, launched by the International Detention Coalition in Geneva.

In the US, the figure is US\$224 and in Canada US\$134.

In Europe, now experiencing an unprecedented influx of refugees from the Middle East and central Asia, the figures are similar: Austria pays US\$134 a day to detain a person in immigration detention and Belgium pays US\$201.

The statistics are based on countries' own government figures.

Australia's detention regime is especially expensive because of the costs of running detention centres in remote places, such as Christmas Island, Nauru and Manus Island in Papua New Guinea.

The cost of building high-security facilities, accommodation for staff, and of flying in workers, food, water and other logistical equipment makes remote detention centres additionally expensive. The total immigration detention regime costs more than A\$3.3bn a year.

The government's national commission of audit found last year that it cost more than A\$400,000 to keep a single person in offshore detention for a year, more than 10 times the cost of having someone live in the community, which would be less than A\$40,000 a year.

Onshore detention costs A\$239,000 each person a year, and community detention about A\$100,000 for each asylum seeker.

Transfield's contract to run Australia's two offshore processing centres – in Nauru and Manus Island – is worth about A\$60m a month: A\$2m a day for about 1,500 people.

The next contract is expected to be cheaper, about A\$45m a month, but for longer. It is expected to be signed for a five-year term.

The lead author of *There Are Alternatives*, Dr Robyn Sampson from Swinburne University of Technology, said the IDC report demonstrated there were alternatives to immigration detention that were more effective, cheaper and more humane.

"Detention on the basis of immigration status should be a last resort," Sampson told *Guardian Australia*. "In this report we ask, 'Well, what are the first, and second and third resorts?', helping governments to see that there are many different options for alternatives to detention ... that are more effective, more humane, and more cost-effective."

The report identifies more than 250 alternatives to detention across more than 60 countries, including supervision orders, telephone and in-person reporting to authorities, directed residence, surrender of travel documents, and living at a nominated address.

However, Sampson said more countries were detaining more immigrants, and for more reasons.

"There is a global trend towards the increasing use of detention for reasons of immigration status. States are building more detention capacity, and they are broadening the range and number of people who can be detained."

However, internationally fewer and fewer countries are detaining children for immigration reasons.

In 2005 a South African court ruled that children could be detained only as a last resort, and Panama (2008), Japan (2010), Turkey (2014) and Taiwan (2015) have passed laws prohibiting the detention of children.

Finland (2010), Malta (2014) and the UK (2010) have all publicly committed to ending child detention.

France (2012) and Israel (2014) have limited child detention to "exceptional circumstances" and China has restricted it for children under 16.

Immigration detention has a "profound and negative impact" on the health and development of children, the IDC report found.

"Children in detention are at risk of depression and anxiety and frequently exhibit symptoms of post-traumatic stress disorder. Detained children have higher rates of suicide, suicide attempts and self-harm, mental disorder and developmental problems."

The UN committee on the rights of the child ruled that detaining a child because of their migration status – or that of their parents – was a violation of a child's rights "and always contravenes the principle of the best interests of the child".

"In this light, states should expeditiously and completely cease the detention of children on the basis of their immigration status," the committee said.

Australia is one of the few countries in the world to enforce mandatory detention of all irregular arrivals, including children. It introduced mandatory detention under Labor in 1992.

It was originally a "temporary and exceptional" measure designed to cope with an influx of asylum seekers from IndoChina and was limited to a maximum detention period of 273 days. That limit was abandoned in 1994.

The number of children in detention in Australia has decreased dramatically, from 1,992 in July 2013 to 197 (104 in Australia and 93 on Nauru), but children are spending longer in detention than previously.

The average time for a person in immigration detention is 412 days.

The Australian Human Rights Commission report *The Forgotten Children* called for all children and their families in immigration detention to be released into the community.

The government has consistently trumpeted the success of its border protection policies which, it says, have "stopped the boats" and prevented drownings.

"We remain as committed as ever to implementing tough policies that stop vulnerable people being exploited by criminals, prevent further loss of life at sea and ultimately keep people smugglers out of business," the immigration minister, Peter Dutton, said this week.

"It remains Australia's policy to safely turn back boats or send people to another country for processing and resettlement, regardless of where they are from."

Dutton said the fundamental pillars of Australia's border protection regime would not change. No consideration was being given to ending mandatory detention.

"The government will continue to implement tough measures to protect our borders because it's very clear that they work."

A spokesman for Dutton said the Coalition government had moved 1,276 people into community detention and issued 7,549 with bridging visas to live in the community, but that processing their asylum claims was expected to last years.

The spokesman said the government had worked consistently to remove children from detention.

"Unfortunately there are some children who because of security or legal issues surrounding a parent or parents are unlikely to leave detention because that is the wish of those parents. In these cases the government has offered alternatives to detention for children and one parent, but some families have not accepted this."

<http://www.theguardian.com/australia-news/2015/oct/01/australian-immigration-detention-costs-double-that-of-us-and-europe-report>

11. Cambodia refugee deal hits another snag

Only two more refugees on Nauru island are willing to take up an offer to live in Cambodia, reports Lindsay Murdoch.

The Age
October 3, 2015 - 10:57AM
Lindsay Murdoch

Bangkok: Australia's controversial \$55 million agreement to send refugees from the tiny Pacific island of Nauru to impoverished Cambodia has hit another snag.

Only weeks after Immigration Minister Peter Dutton flew to Cambodia to salvage the agreement and announce that four more refugees had agreed to take the one-way ticket, only two have now agreed to make the journey.

"We have sent officials for interviews but the result I have received is that only two among the four volunteered to come," Cambodia's Interior Minister Sar Kheng told a television station in Phnom Penh.

"The other two did not want to come and live in Cambodia," he said.

Cambodia last week flew a team of officials to Nauru to interview the three Iranians and Rohingya from Myanmar who had apparently indicated they were willing to give up their hopes of reaching Australia to live in Cambodia, where initially they would receive thousands of dollars in cash, training, help finding work, health insurance and accommodation in a luxury villa, all at Australia's expense.

But after 12 months they would be expected to fend for themselves in a country where millions of people are forced to live on less than \$2 a day and the regime of strongman Prime Minister Hun Sen is accused of entrenched corruption, human rights abuses and denial of basic freedoms.

Two Rohingya Muslim men on Nauru are expected to be flown to Cambodia soon, joining four other refugees from Nauru who arrived in the country in June.

But the original group – also three Iranians and a Rohingya - have complained about the resettlement arrangements, specifically restrictions on their movements.

The 24 year-old Rohingya man from the original group whose application for refugee status was fast-tracked by Australia in late May, only days before he was flown to Cambodia, has said he wants now to return to Myanmar.

The application was based on a well-founded fear of persecution if he returned home.

Rohingya are a Muslim minority in Myanmar's western Arakan state who have been described by the United Nations as among the world's most persecuted people.

Cambodia has approved the paperwork for the man to leave Phnom Penh but Myanmar has not yet approved him returning to the country.

Australia's agreement has been condemned by Cambodia's opposition parties, human rights and refugee advocacy groups and the United Nations refugee agency UNHCR.

Hundreds of refugees on Nauru have resisted pressure from Australian officials to travel to Cambodia under the agreement that appeared to have collapsed in early August when a senior Cambodian official said the country had "no plans" to take any more refugees.

But Mr Dutton then spent two days holding what he said were "productive talks" in Phnom Penh to salvage the deal.

A condition of the agreement is that Cambodia can decide how many refugees it accepts.

Australia gave Cambodia \$40 million in additional aid to sign the agreement at a champagne-sipping ceremony in Phnom Penh last year.

Australia has spent a further \$15 million on arrangements to get the original group of four refugees to Cambodia, a Senate committee in Canberra has been told.

<http://www.theage.com.au/world/migrant-crisis/cambodia-refugee-deal-hits-another-snag-20151002-gk0g2c.html>

12. Asylum seekers say they are under attack as violence erupts in detention centres

Tension between asylum seekers and detainees awaiting deportation said to be at breaking point in centres on Christmas Island and at Yongah Hill in Western Australia

The Guardian
Ben Doherty and agencies
Thursday 1 October 2015 14.06 AEST

An influx of "501s" – non-citizens about to be removed from Australia because of a criminal conviction – into detention centres has sparked an outbreak of violence, with regular reports of beatings, criminal damage, theft and intimidation.

At least one asylum seeker held on Christmas Island has reportedly been sent to hospital after he was beaten by other detainees.

Another said he was beaten unconscious when guards were not watching.

"Today, two guys attack me," one man said from the island on Sunday. "They beat me so much, I told my case manager before one month we not safe here, but he don't believe me, now he will be believe me."

"They came from prison, they beat me so much ... I think I will be died in detention centre you can send my dead body to my mum."

Guardian Australia has chosen not to identify the asylum seekers.

Others have reported detention centres being “awash with blood” because of self-harm and beatings. Some asylum seekers said they had been told by staff that security could not protect them and that they should stay in their rooms if violence breaks out.

“Asylum seekers are regularly threatened with violence, rape and intimidation. If you report it ... you will be called a dog and bashed at the first opportunity,” a source inside the centre said.

“Tension between asylum seekers and 501s is at breaking point ... I have no doubt real violence is imminent.”

Asylum seekers say they are threatened with isolation if they complain, and told they should go back to their home countries if they don't like detention.

One asylum seeker said he and others were consistently told by staff “it's your fucking fault you're here”. He alleged one staff member regularly stood aggressively close to detainees and challenged them: “fucking hit me ... I dare you”.

Reports from inside Yongah Hill immigration detention in Western Australia, where most 501s are initially sent before their removal say they “effectively run” the centre, stealing property and food, and regularly beating other detainees.

Two detainees have died in the past two months inside Yongah Hill, one two weeks after being beaten in a riot and another who took his own life.

Workers at Yongah Hill have told Guardian Australia the centre is chronically short-staffed and they cannot keep detainees safe.

Section 501 of Australia's Migration Act allow for the deportation of a non-citizen who fails the “character test”, the threshold for which includes any prison sentence longer than 12 months.

In recent months, the Australian government has more actively sought to detain and remove people under section 501. Most people now held at both Yongah Hill and Christmas Island are 501s.

Many of those set for removal under Section 501 have convictions related to bikie gang activities, and a significant proportion are New Zealand citizens. Nearly 200 New Zealanders are being held in detention centres in Australia – more than 75 have been sent to Christmas Island – as they await deportation.

Almost one in 10 people held in immigration detention in Australia is a New Zealander.

Australia's punitive attitude has raised concerns across the Tasman, with New Zealand warning Australia the two country's “special relationship” was being tested by Australia's treatment of its citizens.

The New Zealand prime minister, John Key, met Julie Bishop, in New York on Tuesday and said he was “pretty blunt” with the Australian foreign minister over the way New Zealanders were being detained and deported.

“I had a chat with Julie about it and I was pretty blunt,” Key told Radio New Zealand.

“I said there's a special relationship between New Zealand and Australia and you challenge that, to a degree, when you see New Zealanders being treated in this way.”

Key said some of them had spent almost their entire lives in Australia.

“We also deport people, but not in the way the Australians are talking about,” he said.

Key said it would be one of the most important matters he raised with the Australian prime minister, Malcolm Turnbull, when they met.

No date has been set for that meeting.

The meeting with Bishop took place amid growing calls for the New Zealand government to take action, following the death two weeks ago of New Zealand-born Junior Togatuki in Goulburn's Supermax prison in NSW while he was awaiting deportation.

The 23-year-old, who left New Zealand at age four, had served his sentence for robbery and assault, and authorities say he took his own life.

Bishop provided assurances to New Zealand that a full inquiry was under way into Togatuki's death.

Guardian Australia has sought comment from the Department of Immigration and Border Protection and from the office of the minister, Peter Dutton.

Ian Rintoul from the Refugee Action Coalition told Guardian Australia there were good arguments that 501s and asylum seekers should not be detained together, "and good arguments that neither groups should be in detention at all".

"But as the numbers of 501 detainees increase, the violence between 501s and asylum seekers in both Christmas Island and Yongah has become a daily occurrence," Rintoul said. "The serious assaults and bashings of asylum seekers that have taken place in both institutions reveals a situation that is out of control."

<http://www.theguardian.com/australia-news/2015/oct/01/influx-of-501s-into-detention-centres-sparks-outbreak-of-violence>

13. Judge reopens murder trial to hear from defence witnesses in asylum seeker's death

ABC News Online

By PNG correspondent Eric Tlozek

First posted Thu 1 Oct 2015, 1:49pm

Updated Thu 1 Oct 2015, 2:50pm

A Papua New Guinea judge has allowed the murder trial of two men accused of killing asylum seeker Reza Barati to be reopened to hear from more witnesses.

Justice Nicholas Kirriwom had reserved his decision in the wilful murder trial of Joshua Kaluvia and Louie Efi on Manus Island after hearing closing submissions on September 29.

They are accused of hitting Mr Barati, causing him to die from a serious head wound on February 17 last year.

The defendants wrote to Justice Kirriwom saying their constitutional right to a fair defence had been breached, because their state-appointed defence lawyer had not called any witnesses other than the defendants themselves.

Justice Kirriwom has ruled that the defence may reopen its case to hear from more witnesses when he returns to Manus Island on November 30.

Kaluvia and Efi both deny allegations they were part of a group of men who attacked Barati during violent protests at the Manus Island detention centre last year.

Kaluvia is alleged to have hit Mr Barati in the head with a piece of wood and Efi to have dropped a large rock on his head.

The PNG police investigator for the case told the court he had evidence implicating expatriate guards, one Australian man and one New Zealander, in Mr Barati's death, but had been unable to secure their return to PNG for questioning.

<http://www.abc.net.au/news/2015-10-01/reza-barati-case-re-opened/6820702>

14. Trial of PNG men accused of Reza Barati murder to reopen with more evidence

Trial of Joshua Kaluvia and Louie Efi finished 29 September, when PNG national court sitting on Manus heard closing submissions, but will reopen 30 November

The Guardian

Ben Doherty

Friday 2 October 2015 08.56 AEST

The trial of two Papua New Guinean men accused of murdering asylum-seeker Reza Barati in the Manus Island detention centre last year has been reopened so they can call more witnesses.

The trial of detention centre workers Joshua Kaluvia and Louie Efi finished on 29 September, when the PNG national court sitting on Manus Island heard closing submissions, and Justice Nicholas Kirriwom reserved his decision on the charge of wilful murder faced by both men.

But now Kirriwom has taken the extraordinary step of reopening the trial next month to hear more evidence.

Sources with knowledge of the case told Guardian Australia the two accused wrote to Kirriwom arguing their constitutional right to a fair trial had been breached because the state-appointed public solicitor running their defence called no witnesses other than them.

Kirriwom will reopen the case on 30 November, when the court next sits on Manus Island. It is not known whom the men will call in their defence.

Kaluvia and Efi are alleged to have killed 23-year-old Iranian Kurd Barati during the riots in the Australian-run detention centre on Los Negros island, Manus province, in February last year.

Over three days of violence between 16 and 18 February 2014, more than 60 people were injured, one man was shot by police, another lost an eye, another had his throat cut and Barati was killed, suffering a heart attack as a result of a catastrophic head injury.

Kaluvia is alleged to have hit Barati twice with a piece of wood spiked with nails, while Efi allegedly dropped a large rock on Barati's head as he lay bleeding at the top of a flight of stairs.

Kaluvia and Efi have both denied any involvement. In an interview from Lorengau prison, the pair told Guardian Australia they were not involved in Barati's death. Kaluvia said he was not even at the detention centre when Barati died, while Efi said he was on "static" guard duty that night, and did not see Barati.

"We are being set up," Kaluvia said. "They want to convict us so that nobody else, no Australians or New Zealanders who are responsible, have to face justice. We have to take the blame for them because we are [from] PNG."

However, witness statements and police evidence presented before the court named Kaluvia and Efi as attacking Barati.

Also tendered to the court was a text message reportedly sent from Kaluvia's phone to his girlfriend following the riots. The message said: "On the TV news most of the asylum seekers are dead. We killed them, especially me and my friend."

Kaluvia denied sending the text, saying he did not have his phone after the incident.

One of the witnesses to Barati's death, a fellow Iranian asylum seeker, told the court he had been threatened by friends of the defendants for giving a statement to police, and testifying in the trial.

Benham Sateh had to be forcibly brought to court from detention, and initially refused to testify, saying he feared for his life.

The arrest and trial of Kaluvia and Efi has been controversial on Manus Island, because of a widespread belief many more people were involved in Barati's assault and death.

All of the witness statements collected by police and tendered to the court say that up to 15 people, including expatriate guards from Australia and New Zealand, were involved in killed Barati.

"Reza Barati was bleeding very heavily from the injury on head," one statement said. "I saw Reza Barati was still alive at that time when he was lying on the wire floor. The G4S guards who were chasing him from behind reached him and kicked him [Barati] on his head with their boots. I saw about a total of 13 G4S local officers and two expatriate officers kicked Reza Barati in his head with their boots. He was putting up his hands trying to block the blows from the boots."

Two guards – one Australian and one New Zealander – have been named in police reports and in witness statements put before the court. PNG police have unsuccessfully tried to have them returned to PNG for questioning.

The Australian government's inquiry into the riots concluded Barati's death was "caused by a brutal beating by several assailants".

Manus provincial police commander Alex N'Drasal said he was frustrated by a culture of impunity for expatriate staff working on the island, who are simply flown out of PNG if they are accused of a crime.

"It is an ongoing concern for me," Manus Provincial Police Commander Alex N'Drasal told the ABC this week. "I am always frustrated when these things happen."

Australian staff alleged to have been involved in a gang rape of a local Transfield worker were flown off the island the morning after the incident, while two other staff who were involved in a serious car crash, allegedly involving drink-driving, were also repatriated before police could question them.

<http://www.theguardian.com/australia-news/2015/oct/02/trial-of-png-men-accused-of-reza-barati-to-reopen-with-more-evidence>

15. The 19th Syrian: The asylum seeker the Australian Government convinced to return to a war zone

ABC-TV - Lateline

By Ginny Stein

First posted Thu 1 Oct 2015, 3:50pm

Updated Fri 2 Oct 2015, 9:06am

For weeks the trail of the 19th Syrian had gone cold.

He and 18 other Syrians were being held in Australian-run detention centres, but he was the only one the Federal Government managed to persuade to return home.

He was known as EDE 043 — an identifier assigned to him based on the boat he arrived on — but his real name is Eyad.

The chicken farmer fled his village in Syria's Daraa province more than two years ago, leaving his pregnant wife behind with family, with a plan of reaching the safe haven of Australia and then sending for her.

He made it to Christmas Island by boat on August 4, 2013 and was later transferred to Manus Island.

Eyad was repatriated from Manus back to Syria in August this year. Contact with him was lost.

Lateline can reveal however that 29-year-old Eyad is alive and after a long journey back to Syria, where he says he was jailed and tortured, he has made it home to his wife and the daughter who was born in his absence.

More than 220,000 people have already died in Syria's civil war and more than 4 million people have fled the country.

Agencies like the International Organisation for Migration and the United Nations do not facilitate the return of Syrians to the war zone.

But emails between Department of Immigration employees that were obtained under Freedom of Information by The Guardian show Australia has been encouraging Syrians in detention to go home.

"I was very open and frank with the transferees, I described the options that they have and I was clear that they would not be settled in Australia or a third country," one email states.

"The transferees were visibly upset and quite anxious.

"They were quite adamant that I would be sending them home to their death."

In the search to find out what happened to Eyad, Lateline spoke to a detainee on Manus Island who was friends with him.

The man, who Lateline has chosen not to name, said Australian authorities are continuing to exert pressure on Syrians to return home.

He said that message was given to him as recently as two weeks ago.

"Anything with immigration and the Transfield, they tell me, 'Why you didn't go back to Syria? Why you stay here?'" he said.

"I say, 'I cannot go back to Syria because when I enter Syria I will be dead'."

He said Eyad became sick with kidney stones while he was on Manus Island and was convinced he was going to die.

"He want to leave for Syria... he say I don't want to be dead in this compound jail here in Manus Island," he said.

Back to Syria: The journey home

And so, just over a month ago, Eyad was given \$US2,310 by the Australian Government and flown off Manus Island.

Escorted by two Australian Immigration Department officials, they flew with him first to Singapore, then on to Qatar and Jordan, before putting him on a plane to fly home alone to the Syrian capital, Damascus.

From there he sent a message to another friend in an Australian-run detention centre.

"I'm leaving now. I'm going out of range. Please pray for me," it said.

Two of the last people to have any contact with Eyad are fellow-Syrians being held at Villawood detention centre in Sydney.

One of them comes from the same Syrian village as Eyad and they made the journey from there to Australia together.

The men in Villawood said Eyad had contacted them after he left Manus to say he was going to try and escape somewhere in transit but that plan failed and since he had landed in Damascus, his friends had heard nothing.

Daraa province, where Eyad is from, is one of the most dangerous provinces in the country.

It is where the Syrian uprising began in 2011.

Eyad's village of Al-Harra is at the epicentre of a conflict between a collection of opposition groups and the Syrian government army.

Elaine Pearson, the Australian director of Human Rights Watch, said crimes against humanity had been committed in Daraa.

"This is the equivalent of dropping someone in the middle of an active war zone," she said.

"We have documented barrel bombs being dropped by the Assad regime.

"There's been intense fights between the rebels and Syrian government forces.

"So this is certainly not a safe place to be sending someone back to."

EDE 043 makes contact

After meeting with the men at Villawood, Lateline received a phone call from someone who said they had been in contact with Eyad and they passed on a phone number.

Remarkably, more than a month after he was flown off Manus Island, Eyad was at the other end of the phone line.

"My number is EDE 043," he said.

Eyad said he had tried to escape from the Australian immigration officials who had escorted him back to Syria.

"When I went to Qatar, in Doha airport, I tried to escape because I wanted to go to Turkey," he said.

"There is a refugee camp in Turkey and once I am in that refugee camp in Turkey, it is easy to get my wife and my daughter to come live with me in that refugee camp."

Eyad also explained why contact was lost with him for so long.

"I was worried when I get to Syria to be killed or put in jail, and this is what happened. As soon as I get to Damascus I was 20 days in jail," he said.

He was singled out by government officials when he landed in Damascus - his home village marking him as a dissenter.

Eyad said for 20 days he was tortured by Syrian government intelligence officers, who had found the cash given to him by the Australian Government and accused him of being a financier of the Syrian revolution.

"They hit me on my face and on my back, on my chest," he said.

Eyad was released and made the dangerous journey back to his hometown and his family. His house had been destroyed and his wife injured.

"Every day those Syrian planes come to our area ... those times they throw four barrels of explosives and they are killing children and you can watch the news and see for yourself," he said.

He said even now living in the middle of the war zone, his life is better than it was on Manus Island because he finally got to meet his two-year-old daughter.

"She is very clever and you can communicate very easily with her. She understands quickly," he said.

Eyad said he still feels anguish over the choice he had to make to come back to his wife and daughter, knowing the prospect of death was also a reality.

"One day I am expecting myself to be killed or arrested," he said.

"In Syria, there are two sects. Either you are a killer or you are the killed person."

Lateline contacted the Department of Immigration for comment.

The Department responded with a statement saying it "assists and supports the Government of Papua New Guinea with any individuals who seek to voluntarily return to their country of origin".

The Department said they do not comment on individual cases.

<http://www.abc.net.au/news/2015-10-01/the-asylum-seeker-the-government-convinced-to-return-to-syria/6816336>

16. Video captures moment Somali refugee pleads for help from police after alleged sexual assault

ABC-TV - 7.30

By Hayden Cooper

First posted Mon 28 Sep 2015, 1:33pm

Updated Mon 28 Sep 2015, 7:13pm

Two refugees are requesting help from Australia after reportedly being raped on Nauru, leaving one of them pregnant.

The ABC's 7.30 has obtained a harrowing video of the moment one of the victims was found by Nauruan police, several hours after the alleged assault occurred.

The footage was filmed in the dark by the 26-year-old Somali woman as she hid in the bushes late at night on August 21 after allegedly being raped by two Nauruan men.

In the video, the woman is heard weeping and calling for help as she phones Nauruan police.

"Please come help me," she pleads as sirens are heard in the background.

The woman, known as Najma (not her real name) has told the ABC she feels unsafe on Nauru.

"As a Somali girl, I was hoping to come to a safe place, but I have no safety," she said.

"As we walk to work, Nauruan men charge us five dollars to use the road, then they follow us and harass us or touch us."

The women both live in the Nauruan community.

The attack is the latest in a string of sexual assaults on Nauru, both inside the immigration detention centre, and outside in the refugee community.

A recent Senate inquiry uncovered the number of assaults perpetrated on asylum seekers on the island.

The company responsible for running the detention centre, Transfield Services, told senators it received 67 allegations of child abuse up until May this year, 30 of them involving detention centre staff.

Daniel Webb, the director of legal advocacy at Melbourne's Human Rights Law Centre, said Australia should not be settling refugees in the Nauruan community.

"It's becoming clear that Nauru, both inside the detention centre and outside of it, is not a safe place for women and not a safe place for children," he said.

'Police took four hours to arrive'

In a police statement obtained by 7.30, the Somali woman stated she was out walking near the Ewa settlement camp when she was dragged into the bushes by two Nauruan men and raped.

She said police took four hours to arrive, and she has heard no update since on the subsequent investigation.

The second woman said she was 10 weeks pregnant after also being raped.

She said she wanted to come to Australia to have an abortion.

A third woman, an Iranian asylum seeker, remains in a Brisbane hospital after she too was raped on the island.

There are serious doubts about the capacity and ability of Nauruan police to investigate alleged crimes.

The Senate inquiry revealed that of 50 incidents referred to Nauruan police by detention centre operators since 2012, just two convictions were obtained. Nauru's legal system has also deteriorated amid an assault on the rule of law and freedom of speech on the island.

New Zealand's government recently suspended its aid funding for the Nauruan justice system as a result of political prosecutions, including against opposition MPs.

Nauru justice system 'can't protect' victims

Mr Webb said assault victims in Nauru had little hope of justice.

"The reality is that the Nauruan justice system and rule of law is in complete disarray," he said.

"Not only is Nauru an unsafe place for vulnerable women and children that Australia sends there, the Nauruan justice system can't protect them."

The ABC sent several questions to the Nauruan police, requesting details on the number of assault cases, and the number of arrests made.

A reply was received from the Nauruan government's Australian public relations agent, Lyall Mercer.

"Due to continued unbalanced and inaccurate coverage of Nauru by the ABC we will not respond to this request," the email stated.

"We can only assume that the ABC does not wish to report the facts and that political activism has replaced ethical journalism, therefore we will not be cooperating on this occasion."

In a statement to the ABC, the Immigration Department said it worked with the government of Nauru to provide a safe environment for asylum seekers and refugees.

It said in the event of sexual assault allegations, asylum seekers and refugees were provided with medical treatment and mental health support.

The Department said it was aware of a sexual assault allegation involving the Somali woman. But it would not say if the two recent victims would be brought to Australia.

Former case manager goes on record over threats to women

The Australian Government's Border Force Act prevents detention centre staff from speaking publicly about their work on the island, at risk of two years' jail.

But a former Save the Children case manager has given an interview to 7.30 to reveal information about threats to refugee women.

Danielle Serrano, who worked on Nauru last year, said she was aware of local Nauruan security guards threatening single female asylum seekers at the detention centre.

"Some of the local guards had said to them that they were looking forward to them being released because of what they would like to do to them," she said.

"So yes, I am aware of instances where that fear was made known."

About 400 refugees have been released into the Nauruan community after being granted visas by the Pacific country.

Ms Serrano revealed that during her time on the island, detention centre staff were warned about safety on Nauru, and advised not to travel alone.

"Immigration are aware ... that the environment is not safe," she said.

"That made me quite frustrated to be thinking, 'how come you care about my safety and our safety as staff and as women, yet on this island you want to release women and children?'"

Ms Serrano said she felt compelled to speak out despite the Border Force Act.

"Professionally and ethically I can't know this, and not say something," she said.

<http://www.abc.net.au/news/2015-09-28/two-refugees-allegedly-raped-on-nauru/6809956>

17. Nauru rape allegations 'very alarming', says Malcolm Turnbull

Sydney Morning Herald
October 1, 2015 - 10:13AM
Latika Bourke

Prime Minister Malcolm Turnbull says the government is committed to ensuring women and children refugees living on Nauru are safe, after allegations from a 26-year-old Somali woman that she was harassed and raped by two Nauruan men.

In a sign of the political pressure weighing on the new Prime Minister to act on the litany of human rights abuses reported on Australia's offshore detention camps for asylum seekers, Mr Turnbull read from prepared notes when responding to questions about the rape allegations.

The ABC's 7.30 reported on Monday that Nauruan police took four hours to respond to the woman's call for help. They broadcast a distressing video of the refugee's call to police, in which she said she was hiding in a rock cave.

Mr Turnbull said the report had revealed an "alarming issue" and said he understood why women on Nauru felt terrorised.

"The story on 7.30 on Monday night did reveal...a very alarming issue of safety for women there and we take that very seriously," he told ABC radio.

Mr Turnbull said the government is taking "a number of steps" to improve safety and the security of refugees on Nauru. These include deploying Australian Federal Police to mentor the local police and establishing a gender violence unit within the local police force.

"The Minister, Minister [Peter] Dutton, the whole government, is very committed to ensuring that women, that all of the transferees and refugees but in this context women and children are absolutely safe in that environment," Mr Turnbull said.

The Prime Minister said "quite a number" of asylum seekers who had arrived by boat had not been granted refugee status and were in a position to choose to return home.

And for those asylum seekers found to be refugees, Mr Turnbull said: "We are working actively to achieve resettlement for them."

The Australian government sends all asylum seekers who arrive by boat to camps on Nauru and Papua New Guinea's Manus Island as part of its pledge to "stop the boats". The latest available statistics show that as of 31 August there were 936 asylum seekers on Manus Island and 653 on Nauru. Two of the asylum seekers on Nauru were in Port Moresby for medical treatment at the statistics were published.

Mr Turnbull was the opposition leader at the time former Labor prime minister Kevin Rudd unwound the Pacific Solution.

"He did it, this was - billions of dollars, tragically, hundreds of lives, we don't actually know how many lives and of course tens of thousands of arrivals," he said.

"They save lives, this is not a theoretical exercise anymore, sadly, I wish Rudd hadn't done it."

When Mr Rudd was reinstated as prime minister in 2013, he announced the harsh policy of refusing any refugee who had travelled by boat permanent resettlement in Australia. More asylum seekers have died on Manus Island than have been resettled.

Mr Turnbull said he stood by the "tough" and "harsh" measures introduced by the subsequent Gillard and Abbott governments because stopping the boats had stopped deaths at sea.

But there is an expectation from some within the government's ranks that Mr Turnbull, as a socially moderate leader, will heal the "weeping sore" of how Australia treats its asylum seekers.

Liberal backbencher Russell Broadbent has previously told Fairfax Media that the sore will worsen if left unaddressed.

"You know what happens to a weeping sore if you don't deal with it. It becomes a raging ulcer," he said.

In one of his first interviews as Prime Minister, Mr Turnbull said he understood and shared the "concerns" of those worried about the plight of asylum seekers on Nauru and Manus Island.

"I understand the issue. I have the same concerns about the situation of people on Manus and Nauru as you do, and as I would think almost all, all, Australians do."

"This is an area that is clearly is one that is controversial, that is a challenging one. It is a challenging one. It is certainly one that close attention is being paid to," he said. But he subsequently ruled out resettling any asylum seekers in Australia.

Mr Turnbull's comments come just one day after Foreign Minister Julie Bishop announced Australia would be seeking a seat on the United Nations Human Rights Council - a body responsible for promoting and protecting human rights around the world.

<http://www.smh.com.au/federal-politics/political-news/nauru-rape-allegations-very-alarming-says-malcom-turnbull-20150930-gjyo7z.html>

18. MEDIA RELEASE: ABC Nauru story brings backlash on Nauru

Tuesday 29 September 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

There have been increased threats against refugees on Nauru this morning, following the broadcast of the ABC's 7.30 program on Monday night highlighting recent alleged incidents of rape on the island.

This morning, Tuesday 29 September, one Somali refugee was approached and threatened by two local men who told her, "We will kill you. We know you. Do not make stories."

Others have reported increased abuse and threats.

There are also reports that two refugees have been sacked from their jobs this morning because of the ABC program.

For more information contact Ian Rintoul mob 0417 275 713.

MEDIA RELEASE

URGENT ACTION NEEDED TO END THE HORROR ON NAURU; RAPED REFUGEES MUST BE BROUGHT TO AUSTRALIA

Tuesday 29 September 2015
Refugee Action Coalition
Ian Rintoul
mobile 0417 275 713

The ABC program 7.30 on sexual assault allegations on Nauru has lifted the lid on the scale of abuse women are suffering on Nauru. Urgent action is needed in both cases highlighted by the program.

In one case, the Australian government, Border Force and IHMS, the medical provider on Nauru IHMS has ignored the request for a termination by a 23 year-old Somali woman who became pregnant after a sexual assault. She is now 10 weeks pregnant.

The need for action by the government to meet her request grows more urgent by the day," said Ian Rintoul, spokesperson for the Refugee Action Coalition, Despite her requesting a termination for weeks, the woman is now 10 weeks pregnant.

It is simply unbelievable that health authorities have not acted sooner. She is in a fragile state, yet those who have a duty of care are recklessly playing with her mental and physical health."

The woman known as Najma" by the ABC's 7.30, also should be brought to Australia immediately.

Najma lives in daily terror," said Ian Rintoul, Like other refugee women in the community on Nauru, she is completely vulnerable. Many of the refugee houses are remote; have no lighting and no security. Like so many others, the perpetrators of her assault remain at large. Their houses are not secure; the door locks can be, and often are, slipped with a knife blade, leaving them exposed to assault and theft.

Many of the Somali women refugees on Nauru have been found to be refugees because they have been victims of sexual abuse.

Najma was held captive by a rebel Somali group in 2004 and 2005 and was sexually assaulted and abused over those two years and her suffering didn't stop then. Rather than finding protection on Nauru, Najma is facing the same kind of persecution she faced in Somalia.

The government has been aware of the shocking rate of sexual abuse on Nauru for a long time. One Iranian rape victim was kept on Nauru from May until August before finally being brought to Australia. She is still waiting for her family to join her.

The Australian government has created a living hell for Najma and others on Nauru. Nauru is not safe, and must be closed.

Malcolm Turnbull has made concern about domestic violence a hallmark of the new government. The violence against women on Nauru is as bad as the domestic violence in Australia. It is violence that the government is ultimately responsible for. "The Prime Minister has the power to immediately to end the violence against the refugee women on Nauru. The only question is, 'Will he?'"

For more information contact Ian Rintoul 0417 275 713

19. Rape allegations show Nauru too dangerous: refugee advocates

There are renewed reports of violence and sexual assault on Nauru with a Somali refugee alleging she was raped by two men on the island last month.

SBS News
29 Sep 2015 - 8:00pm

The woman's allegations were aired in Australia last night - by lunchtime today there were reports she had received death threats for going public.

A 26 year-old Somali refugee recorded her own harrowing cries for help after the alleged assault and provided them to the ABC.

"I listen your shout .. please this man is come back - can you hear the siren now?"

Refugee advocate Pamela Curr from Melbourne's Asylum Seeker Resource Centre says she's in touch with other rape victims on Nauru.

"What we saw last night is just the tip of the iceberg - I've been speaking to these women for months and the sexual violence against them is horrific."

Ms Curr transcribes chilling conversations with petrified victims on Nauru, often in broken English.

"Throw bottles into camp - shout we want refugee ladies to come so we can f**k them. Why you wear scarf? Why you hide? Show us your body."

Ms Curr has been told some victims were threatened for going public with the allegations of rape.

She says many need urgent medical attention.

"The girls who have become pregnant through rape are requesting terminations - the government is stalling. This is very dangerous. These girls are desperate. They do not want to have babies through rape."

Approximately 400 refugees have been released from the detention centre and live in the Nauruan community.

Lawyer Daniel Webb says over the past 18 months the rule of law on Nauru has all but collapsed and democracy is in disarray.

"Removed the entire judiciary .. effectively banished foreign journalists from the country .. restricted access to internet such as facebook .. suspended opposition MPs from parliament."

Australia's Immigration Department has released a statement.

It says in relation to an allegation of sexual assault, appropriate medical treatment, supported accommodation and mental health support is provided pending further investigation.

Daniel Webb insists the government must act immediately.

"It's crystal clear the only responsible thing to do is to stop sending women and children into a place that is so clearly dangerous and a place that can't protect them."

<http://www.sbs.com.au/news/article/2015/09/29/rape-allegations-show-nauru-too-dangerous-refugee-advocates>

20. Nauru scraps curfew at asylum seeker camp

Sydney Morning Herald
October 4, 2015 - 3:20AM
Heath Aston

More than 600 asylum seekers detained on Nauru will be able to move around the island 24 hours a day, with the Nauru government poised to scrap the curfew at its Australia-funded processing centre.

In November last year, Nauru announced the transition to an "open centre". Since then, detainees have been able to move freely outside the centre between 6am and 6pm.

All restrictions will be lifted from Monday.

Detainees will still eat, sleep and receive medical services at the regional processing centre.

A spokeswoman for Immigration minister Peter Dutton confirmed that Nauru was poised to alter the centre's curfew.

"We're aware that Nauru has changed the open centre arrangements," she said.

A spokesman for Nauru said an official announcement would be made next week.

The latest Immigration Department statistics show there are still 653 asylum seekers in the regional processing centre on Nauru.

As of August 31, there were 446 men, 114 women and 93 children awaiting decisions on their applications for refugee status. Some refugees have been resettled on the tiny Pacific island.

Organisations such as Save the Children have campaigned for greater freedom of movement for asylum seekers, saying detention is detrimental, especially for children.

<http://www.smh.com.au/federal-politics/political-news/nauru-scraps-curfew-at-asylum-seeker-camp-20151003-gk0i7a.html>

21. Detainees in Nauru to be granted full freedom of movement 24 hours a day

ABC News Online

Posted Sat 3 Oct 2015, 12:35pm

The Nauruan government has said asylum seekers would be granted full freedom of movement around the island.

In a statement, the Nauruan Department of Justice and Border Control said asylum seekers would be allowed to come and go from the detention centre without any restrictions from Monday, October 5.

"Open Centre arrangements of the Regional Processing Centre will be expanded to allow for freedom of movement of asylum seekers 24 hours per day, seven days per week," the statement said.

"It is the intent of the Government of Nauru that these arrangements are enshrined in legislation at the next sitting of Parliament."

All detainees on Nauru are currently allowed to leave the camp during the daytime, but are subject to a curfew at night.

The ABC understands a 9:00pm to 9:00am curfew has been in place, while no-one is allowed to leave the camp on Thursdays.

The Nauruan government said the network of community liaison officers would be expanded to provide assistance in the transition, with other security measures being put in place.

<http://www.abc.net.au/news/2015-10-03/nauru-to-grant-asylum-seekers-full-freedom-of-movement/6825482>

22. MEDIA RELEASE: Bashings and rapes make mockery of open Nauru camp

YOUNG REFUGEES ATTACKED ON NAURU

Sunday October 4, 2015

Refugee Action Coalition

Ian Rintoul

mobile 0417 275 713

Two eighteen year-old refugees, have been attacked on Nauru.

The attack took place around 11.30pm on Wednesday, 30 September as the two refugees returned to their camp at Ewa.

The two men, Jafar, an Afghan refugee, and Zijah, a Pakistani refugee, were ambushed as they were walking into the Ewa refugee camp, by up to 12 local Nauruan men.

Along with the abuse hurled at the refugees, the attackers demanded money and stole their mobile phones.

Zijah was left with severe cuts on his knee, his hand as well as extensive bruising and scratches on his back from being knocked to the ground. (Photograph attached. Zijah on the right.)

The Ewa has also been the site of a rape and a number of attacks on single refugee women; but, in what has become typical of the lack of local police response to attacks on refugees, the police did not attend.

The refugees, themselves, went to the police station to make a statement. They later went to the hospital for treatment for the cuts and abrasions, when the ambulance also failed to attend the scene of the attack.

"This has got to stop," said Ian Rintoul, spokesperson for the Refugee Action Coalition, "The situation on Nauru is badly out of control. The safety of the refugees cannot be guaranteed.

"There is no security in the community or the refugee camps. There is no lighting. The government has simply created camps where single women and young refugees are preyed upon with impunity."

Responding to the announcement that the Nauru government intends to create an "open camp" arrangement for asylum seeker, Ian Rintoul, said, "The vicious attacks on refugee women in the community and these latest bashings make the 'open camp' arrangement a meaningless gesture. The Australian government is trying to avoid elements of the M68 case before the High Court starting 7 October.

"Some people found to be refugees are just too afraid to leave the detention centre. One Iranian refugee was savagely raped in May while she was in the community as under the open camp arrangement.

For more information contact Ian Rintoul 0417 275 713

23. Beyond the refugee camps: life in Nauru – in pictures

Despite attracting intense international media scrutiny in recent years, little is known about Nauru beyond its old phosphate mines and Australia's detention centres. Sally McInerney, daughter of pioneering Australian modernist female photographer Olive Cotton, decided to capture a different view of this tiny Pacific island nation. Taken from two trips in 2014 and 2015, this collection of starkly honest images – of local restaurants, swimming pools and brightly painted streets – help demystify life on Nauru.

The Guardian
Emma Froggatt
Friday 2 October 2015 10.11 AEST

See Gallery at <http://www.theguardian.com/artanddesign/gallery/2015/oct/02/beyond-the-refugee-camps-life-in-nauru-in-pictures>

24. Alannah MacTiernan denied access to resettled Nauru refugees

WA Today
October 2, 2015
Jonathan Barrett

A member of a parliamentary delegation touring South-East Asia says she has been denied access to refugees resettled in Cambodia from the Australian-run detention centre on Nauru.

Western Australian Labor MP Alannah MacTiernan said she had requested the visit to find out why those being resettled were reportedly unhappy, and to see whether the program could be improved.

She said her request was denied by the office of the Minister for Immigration and Border Protection, Peter Dutton, on "privacy" grounds.

"It might have been useful for us to talk to them and find out how to make the transition more comfortable," Ms MacTiernan said.

"Why wouldn't you want to try and develop some bipartisanship on this?"

Mr Dutton's office was contacted for comment.

As part of the resettlement deal, Cambodia receives \$40 million in extra Australian aid assistance and a further \$15 million in resettlement costs for taking refugees from Australian-run centres.

The first four refugees to take up the option arrived in Cambodia from Nauru in June, although one, a Rohingya from Myanmar, has since told local authorities he wants to return home.

Another four volunteered to be resettled in Cambodia last month, however The Phnom Penh Post reported on Friday that two have since pulled out.

The newspaper reported that Interior Minister Sar Kheng told a local television station that a delegation had just returned from Nauru where it met the applicants.

"We have sent officials for interviews, but the result I have received is that only two among the four volunteered to come," the Minister said.

"The other two did not wish to come to live in Cambodia."

Ms MacTiernan, who backed the policy to turn back asylum-seeker boats in return for an increased refugee take at the Labor Party Conference in July, said any privacy concerns could have been overcome.

"I no longer think Cambodia [resettlements] is a completely implausible solution for some," Ms MacTiernan said.

"I thought it was a reasonable request to meet with them."

Refugee advocacy groups are generally opposed to the Cambodia-Australia deal.

The Refugee Action Coalition says poor economic and health care conditions in Cambodia and a "record of failing to uphold the rights of asylum seekers and refugees within its borders" makes it unsuitable for resettlement.

<http://www.watoday.com.au/wa-news/alannah-mactiernan-denied-access-to-resettled-nauru-refugees-20151002-gk0aqu.html>

25. Save the Children staff accused and deported from Nauru demand an explanation

Sydney Morning Herald
October 4, 2015 - 12:15AM
Adam Morton

Humanitarian workers deported from Nauru last year following unsubstantiated claims they encouraged asylum seekers to self-harm and fabricate stories of abuse are yet to receive an explanation – despite being promised one by the Australian government.

A year on, charity Save the Children and nine of its former staff are calling on the government to honour a commitment to reveal on what basis police removed them from the Pacific island state.

Some of the nine have suffered mental illness and spent long periods out of work after being deported and publicly accused (although not named) of committing a crime while doing their job.

They were cleared by both the federal police and an inquiry by former integrity commissioner Philip Moss, who in March recommended there be a further review into how the decision was made, and that the charity be given a right to respond to the allegations.

The government agreed. It commissioned a review from lawyer and immigration expert Christopher Doogan, which it received in July. But it is yet to release it.

Natasha Blucher, one of the nine, was provisionally diagnosed with post-traumatic stress disorder after being removed from Nauru. She wants an explanation and to be officially cleared.

"We were working really hard at that time to convince asylum seekers not to self-harm and not to follow through on a suicide pact. To then be accused of doing exactly the opposite was pretty distressing," she said.

"The whole thing has been surreal – and symptomatic of a complete lack of justice in the system. We were removed from Nauru without evidence or explanation – and yet we have voices, we have passports, we can talk to journalists. If that can happen to us, imagine what it is like for asylum seekers who have none of those things."

The Moss Review heard evidence of rape, sexual assault of minors and guards trading marijuana for sexual favours at the Nauru detention centre. Its findings were broadly similar to separate investigations by the Human Rights Commission and a Senate committee.

Six of the Save the Children workers were at the centre on October 3 last year when they were handed letters from the Immigration and Border Protection Department saying they had been stood down pending an investigation. They were given no details, and were accompanied by armed Nauruan police to the airport.

As they packed, then immigration minister Scott Morrison was telling a Canberra media conference that Save the Children employees were being removed from Nauru following allegations they had organised protests against the government's border protection policies.

Sydney's Daily Telegraph had that morning run a story claiming an intelligence report had revealed the charity's staff had fabricated stories of abuse of asylum seekers and encouraged self-harm to "achieve evacuations to Australia". Under the headline "Truth overboard", the story quoted Mr Morrison saying police had been called in to investigate claims the deported workers had misused privileged information.

Social worker Poppy Browne said the allegations "absolutely destroyed" her. "This experience impacted every part of me – my personal life, my professional capacities, my relationships and my daily functioning," she said.

She said she had spent the days before her removal supporting asylum seekers affected by heightening protest activity.

"I want Immigration to be held accountable for their actions. I want an actual reason as to why our names were put forward. I honestly feel the way this matter was dealt with was a foil to cover up the real issues that were occurring on island at the time of our removal," she said.

She said the only information she had about her removal had come from media reports and the Moss Review.

Former child protection manager Michelle Groeneveld said the ex-Save the Children staff had supported each other after being banned from Nauru, sometimes travelling interstate to meet. "I received psychological services over the first three months to deal with the distress and uncertainty. As a professional and as someone who is a law abiding citizen of this country it was very hard to understand," she said.

Save the Children last week wrote to Immigration Department secretary Michael Pezzullo calling for an urgent response to the Moss report's recommendation. Acting chief executive, Mat Tinkler, said while the former staff had been exonerated, there had been no apology from the department or minister.

"Further, these former employees continue to have travel bans in place that prohibit them from travelling to Nauru," he wrote.

The former Save the Children workers have collectively engaged lawyers Holding Redlich to represent them in attempting to get a resolution.

A department spokesman said it was "currently actioning" Professor Doogan's recommendations and that the report would be released when it was "appropriate to do so".

He said the department would continue to work with Save the Children, which recently lost its contract to work on Nauru. From next month Transfield Services will take over the charity's responsibilities.

<http://www.smh.com.au/federal-politics/political-news/save-the-children-staff-accused-and-deported-from-nauru-demand-an-explanation-20151002-gk0g64.html>

26. Impact of Border Force Act on whistleblowers 'grossly overstated', says Transfield

Head of Transfield Services, operator of Australia's offshore detention centres, says he encourages workers to raise concerns about asylum seeker treatment

The Guardian
Australian Associated Press
Monday 28 September 2015 13.26 AEST

The impact of the federal government's Border Force Act on whistleblowers has been "grossly overstated", the operator of Australia's offshore detention centres has said.

Transfield Services chief executive Graeme Hunt said he encouraged workers to raise concerns about the treatment of asylum seekers.

An independently-operated hotline was one of three reporting channels available to people working at the centres in Nauru and Manus Island, he noted.

"I absolutely encourage all of our employees, if they see anything they are concerned about – and not just as part of our operation but anywhere else – to raise it," Hunt told ABC radio on Monday.

Last week the United Nations special rapporteur on the human rights of migrants, François Crépeau, postponed his visit to Australia, claiming the legislation prevented detention centre workers from speaking out.

Hunt rejected claims by the head of No Business in Abuse (NBIA), Shen Narayanasamy, that one asylum seeker attempted suicide every four days.

In May, Transfield Services told a Senate committee there were 253 reported incidents of "actual self harm" on Nauru in the 972 days to April 2015. Of those incidents, only 10 were classed as "critical".

"I do note that Shen said people try to kill themselves every four days," Hunt said on Monday. "That is clearly not true."

Transfield was not against refugee advocates' attempts to change offshore detention policy but the company had a contract with the federal government to fulfil, he said.

"What is clearly an issue is the overall context of offshore processing," Hunt said. "I would absolutely support [activist groups] GetUp! and NBIA in the context of their right to lobby to change the offshore processing policy."

"The policy is what the policy is at this point in time and we are contracted to a federal government department to provide services."

Transfield Services has a \$1.2bn contract to run the Nauru and Manus Island detention centres.

<http://www.theguardian.com/australia-news/2015/sep/28/impact-of-border-force-act-on-whistleblowers-grossly-overstated-says-transfield>

27. Offshore detention centre management tells advocacy groups to take concerns to government

ABC Radio - 774 ABC Melbourne
First posted Mon 28 Sep 2015, 2:42pm
Updated Mon 28 Sep 2015, 3:09pm

The head of Australia's offshore detention centre management company has backed the rights of advocacy groups to lobby against the offshore detention of asylum seekers.

But Transfield Services chief executive Graeme Hunt has told 774 ABC Melbourne's Waleed Aly that GetUp and No Business In Abuse (NBIA) should take on the Federal Government rather than companies contracted to help enact the policy.

"I would absolutely support Getup and NBIA in the context of their right to lobby to change the offshore processing policy — that is everybody's right," he said.

"But the policy is what the policy is at this point in time, and we are contracted to a Federal Government department to provide services, and we do the best possible job we can in those circumstances."

The groups have joined forces to lobby the company's investors to highlight the human rights abuses it claims had occurred at the centres on Nauru and Manus Island under Transfield's watch.

Several superannuation funds have already sold their stakes in the company as a result of the campaign.

On Friday NBIA executive director Shen Narayanasamy told 774 ABC Melbourne's Jon Faine, people regularly tried to kill themselves in Transfield-operated centres.

"No company in today's day and age can knowingly be part of a system that abuses people in this way," she said.

But Mr Hunt said Transfield was not charged with operating the centre — that responsibility lies with the governments of Papua New Guinea, Nauru and Australia.

"What we do is provide services like cleaning and catering and some welfare support in some of the centres," he said.

"We do the best possible job in very difficult circumstances."

"We strongly believe we are making a positive difference."

'Our company is absolutely committed to transparency'

Mr Hunt defended the transparency of his company, and argued the Border Force Act would not stop his staff from raising concerns about possible abuse in the centres.

"Our employees can speak both directly to the company, directly to the authorities, but we also operate an independent whistleblower hotline," he said.

"There is no issue or problem with people raising concerns if they have them, and what we do through our processes is encourage all of our staff to be absolutely transparent and to raise concerns.

"Our company is absolutely committed to transparency."

On Saturday, the United Nation's special rapporteur on the human rights of asylum seekers postponed a visit to Australia, claiming he could not carry out his job due to the legislation preventing people talking about what happens in detention facilities.

NBIA's Ms Narayanasamy said she would put her trust in the UN's interpretation of the law.

"The company needs to be a little bit more honest to its investors about the reality of the situation, in that people face up to two years jail for speaking out about what's happening."

<http://www.abc.net.au/news/2015-09-28/offshore-detention-centre-management-boss-tells-advocacy-groups/6810054>