

# Project SafeCom News and Updates

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# 1. Thomas Albrecht: Australia's refugee policy is a failure. This is not the time to shirk responsibility

Behind the policy of offshore processing are stories of genuine tragedy. We need to let recognised refugees rebuild their lives here

The Guardian

Monday 2 October 2017 10.47 AEDT

Thomas Albrecht, UNHCR regional representative in Canberra

Last week the first refugees from Nauru and Papua New Guinea departed to start a new life in the United States. After more than four years spent in limbo, in harsh and punitive conditions, those who sought Australia's protection will finally find the chance to rebuild their lives elsewhere in safety and with dignity.

They leave behind a harrowing chapter of immense and avoidable suffering. Families have been separated, children have gone years without schooling, and human beings have been physically and psychologically damaged. For those who feel abandoned, as they see the Australian government seeking to walk away from those it has consigned to such harm, the sense of hopelessness is acute. The consequences of open-ended mandatory detention, inadequate conditions and indefinite limbo, are devastating, yet predictable. For years now, UNHCR and others have highlighted the overwhelmingly negative toll on human lives, while the policy grinds on.

While many of the refugees on Papua New Guinea and Nauru will, hopefully, find a solution in the US, it is time to bring an end to this saga for the rest. The best solution, especially for those with close family ties, is to bring the recognised refugees to Australia, where people can receive proper medical and psychological care, and start to repair and rebuild their lives.

The personal face of the policy of "offshore processing" has been largely hidden from public view, but behind each of these untold individual stories is a personal and genuine tragedy. During my first visits to the Nauru "regional processing centre" in 2014, I knelt down to speak with a six year-old girl. Asking her name, I was disturbed when she answered with a boat number, "EZB037." Believing she misheard, I asked again, only to hear the same letters and number repeated. We can only imagine what brings a young girl to replace her name with an identification number.

In order to help bring an end to this ordeal, UNHCR, the UN refugee agency, helped facilitate the referral of refugees to the US government. Our chief concern has been to prevent further suffering, but this should not take away from Australia's fundamental responsibility.

There is nothing illegal about seeking sanctuary from war and persecution. The right to seek asylum is enshrined in the Declaration of Human Rights and is a basic and fundamental principle of international law. Australia's obligation to people fleeing persecution, just as with any country in the world, is the same whether they arrive by air or by sea.

At this time of record displacement, it is more important now than ever, to uphold these principles. All 193 member states of the United Nations agreed when they unanimously adopted the New York Declaration for Refugees and Migrants, in which they collectively declared "profound solidarity with, and support for, the millions of people in different parts of the world who, for reasons beyond their control, are forced to uproot themselves and their families from their homes."

Today, more than eight in ten refugees are hosted in low or middle-income countries with countries like Lebanon, where refugees now make up a quarter of the population. Australia has provided welcome support to humanitarian emergencies abroad and taken in refugees through resettlement quotas and community sponsorship. But we rely on countries like Australia – prosperous, successful immigrant countries with respect for the rule of law and a fair go for all – to also uphold its end of the international asylum system.

The example Australia sets at home is one that is watched closely by countries in the region and around the world. Closing borders and outsourcing obligations will not prevent people from seeking safety, nor will it provide protection to the men, women and children who need it. It will only be a destructive and dangerous precedent.

I understand why those who originally supported offshore processing were moved by the tragic drownings of men, women and children who were trying desperately to reach Australia's shores, to embrace policies and practices seeking to end the boats. But there is a false and disingenuous logic in saving people at sea, only to then mistreat and neglect them on land. When faced with overwhelming evidence of harm and neglect, we must acknowledge that good intentions cannot justify the status quo.

The current policy has been an abject failure. A proper approach by Australia must include, at a minimum, solutions for all refugees and asylum seekers sent to Papua New Guinea and Nauru, and an end to offshore processing. This is the time to share, not shirk, responsibility.

<https://www.theguardian.com/commentisfree/2017/oct/02/our-refugee-policy-is-a-failure-this-is-not-the-time-to-shirk-responsibility>

## 2. Anthea Vogl & Sara Dehm: The blanket deadline for a group of asylum seekers is unfair and dangerous

It's inevitable that some asylum seekers will be recklessly returned to situations of harm if the deadline is enforced against them

The Guardian

Anthea Vogl and Sara Dehm

Tuesday 3 October 2017 14.41 AEDT

On Sunday, the deadline fell for 30,500 asylum seekers living in Australia to lodge their applications for asylum. Immigration minister Peter Dutton announced the deadline in May this year, alongside the condition that anyone who didn't meet the deadline would be automatically considered to have abandoned their claim to asylum and subject to deportation. The government's FAQ for people affected by the deadline put it bluntly: "If you do not lodge, you are not an asylum seeker and must return home."

The imposition of a non-negotiable, non-discretionary and blanket deadline to a group of asylum seekers – where the failure to meet the deadline extinguishes any form of claim – is an exceptionally unfair, arbitrary and dangerous measure.

The affected asylum seekers have been subject, since at least 2012, to rule by a form of executive decree. Their experiences could amount to a case study into what the effects of unfettered, out of control, discretionary government power look like. The surprise announcement of this deadline was no exception to this.

The deadline itself was a discriminatory measure, applying only to asylum-seekers who arrived by boat between August 2012 and January 2014 – the so-called "legacy caseload." When announced, around 7,500 applicants had not yet lodged their applications. Dutton declared these people to be "fake refugees" costing Australian tax payers "hundreds of millions of dollars a year." Remarkably, with the assistance of refugee advocacy organisations, many people have managed to submit their applications for asylum. Yet as of last week, refugee organisations reported that at least 500-600 people are yet to lodge their claims.

The "lodge or leave" terms of the deadline, such that those falling foul of it may be deported without any determination of their protection claim, breaches the most fundamental obligation owed by Australia under international refugee law: the prohibition on sending people back to places where they may face persecution otherwise known as the norm of non-refoulement.

The entire refugee convention turns on respect for this principle. Successive Labor and Liberal governments have engaged in a permanent form of doublespeak when it comes to their compliance with it. They have implemented offshore detention policies that have been described by the UN as amounting to torture to deter potential asylum seekers and punish those who travel to Australia by boat. They have defended a policy of "enhanced screening" that allows predominantly Sri Lankan asylum seekers to be repatriated after answering as few as three questions. Yet they have implemented these measures that violate the convention's spirit and text while declaring full compliance with the black letter of international refugee law.

If any asylum seeker who has been unable to meet the deadline is returned without an assessment of their case, even the thinnest, most dubious and calculated claim of compliance with international refugee law can no longer stand.

UNHCR has repeatedly set out that "fair and efficient [status determination] procedures are an essential element in the full and inclusive application of the [Refugee] Convention." Over the last 40 years, more than 80% of people arriving to Australia by boat have been found to be refugees. In certain years, 100% of Afghani boat arrivals, who comprise about 13% of the "legacy caseload", have been granted protection. The "legacy caseload" also includes approximately 2,500 stateless people, many of whom are Rohingya fleeing persecution described as "textbook ethnic cleansing" in Myanmar. Knowing this, it is inevitable that some asylum seekers will be recklessly returned to situations of harm if the deadline is enforced against them.

One of the government's attempts to justify the deadline has included a claim that these asylum seekers have "failed or refused" to apply for asylum despite having had "significant opportunity" to do so. But these accusations leave out the critical fact that for between 2012 and 2015, the affected asylum seekers were prohibited by law from filing an application for protection under any circumstances. For some, this resulted in waiting nearly five years to apply for asylum. As the Refugee Council of Australia has documented, the government only began allowing some asylum seekers to lodge their claim in mid-2015, with the majority of asylum seekers only becoming eligible to lodge their claims towards the end of 2016. That is, mere months before the deadline was announced.

Not surprisingly, the prolonged legal uncertainty faced by the "legacy caseload" has been shown to contribute to increased mental deterioration and self-harm for those affected. As well, the enforcement of the deadline will continue a trend recently identified by Claire Higgins as "deportation by destitution", since the government has threatened to immediately deny both income support and rental assistance to those who do not meet the deadline whilst compelling them to make arrangements to depart.

The unfairness of this deadline hasn't ended on 1 October. Given the cascading harms caused by the policy, there are serious questions about whether the refugee determination process that follows will be fair and produce legally correct outcomes.

Tanya Jackson-Vaughan, executive director of the Refugee Advice and Casework Service, noted recently that refugee organisations providing legal advice to these asylum seekers hold serious concerns about their capacity to support clients in the next phase of the assessment process. They are calling for urgent funding to provide legal assistance for members of the "legacy caseload". And as with each unforeseen executive announcement, the refugees affected must now wait to see exactly how this latest incarnation of policy-on-the-run will be enforced against them.

---->>> *Dr Anthea Vogl and Sara Dehm are lecturers at the UTS Faculty of Law*

<https://www.theguardian.com/commentisfree/2017/oct/03/the-blanket-deadline-to-a-group-of-asylum-seekers-is-unfair-and-dangerous>

### **3. Daniel Webb: Beyond the politicised white noise, refugees are being brutally mistreated**

Men are dying, women have been sexually assaulted and children traumatised on Manus and Nauru. This can't continue

The Guardian  
Daniel Webb  
Saturday 7 October 2017 07.30 AEDT

Prime minister Malcolm Turnbull and immigration minister Peter Dutton like to insist that our refugee policies are "the envy of the world". But just pretending that everybody likes you doesn't make it true. There is a rising tide of international condemnation being directed our way. And it tells us something – that on this issue, we have completely lost our moral compass as a nation.

On Tuesday former Canadian prime minister Joe Clark called our offshore detention regime "horrendous". The Canada-based Global Centre for Pluralism went even further, slamming what it described as "inhumane policies" and "toxic rhetoric", which "are a threat to inclusive societies".

Their criticisms echo what the international community has been saying for years. When Australia was last reviewed by its peers at the United Nations, our government was hit with 39 calls to change the way it treats refugees. Concerns were raised by every single one of our top four trade partners – China, the United States, Japan and South Korea.

So our friends are clearly telling us that our cruelty to refugees is a problem. We need to listen.

The UN itself has also made its disdain abundantly clear. Treaty bodies and UN investigators have repeatedly found that indefinite detention on Manus and Nauru violates basic standards of humane treatment. The UN human rights chief used his first ever speech at the UN to condemn our government's actions. Just this week the UN refugee agency labelled our offshore detention regime "a destructive and dangerous precedent".

As much as Turnbull and Dutton try to pretend otherwise, the truth is that they are being condemned, not congratulated, on the world stage. And rightly so – their policies are a profoundly harmful failure at the global, national and individual levels.

At a global level, the Turnbull government's "single-minded focus on deterrence" fundamentally misses the point. People fleeing danger deserve safety. To get it they must go somewhere. The focus needs to be on making sure they get there in a safe and orderly way. After all, if every country in the world had a "single-minded focus on deterrence" then persecuted people would be left with nowhere to flee.

At a national level, these policies are rapidly corroding the key pillars of our democratic and legal system. Draconian secrecy laws now expose whistleblowers to the risk of two years prison. The Migration Act and other important laws are being stripped of basic safeguards. The courts are being sidelined. Appeal rights are being slashed. Access to legal help is being impeded. Huge discretionary powers to make life or death decisions are being placed in the hands of one politician – the minister for immigration.

These are especially dangerous developments in a country without a domestic bill of rights. Democracy and the rule of law are our key checks and balances on government power. Both are being trashed.

Then there is the direct impact on innocent people. For all the toxic, politicised white noise about borders and boats, people are what this is fundamentally about. And they are being brutally mistreated.

I've been over to Manus Island three times and seen first-hand the absolutely awful conditions our government is imprisoning people in. My first trip was in March 2014, just after Reza Barati was murdered by contractors our government paid to keep him safe.

I won't ever forget the looks of absolute fear and exhaustion on the faces of those men. It beggars belief that four years later – after eight more deaths and countless violent attacks – they are still there, trapped behind those same fences.

Last week a handful finally found safety in the US. For them, this ordeal is now finally over. But while Turnbull was as effusive as ever in his self-congratulations, I'm going to hold my applause. Because after four long years filled with violence, suffering and death, safety for a handful is nowhere near good enough.

There are still 2,000 people being warehoused by our government in its offshore camps. 1,783 of them are proven refugees. 169 of them are children.

Men are dying on Manus. Women have been sexually assaulted on Nauru. Children have been so traumatised by offshore detention that they've needed acute psychiatric care in Australia. Families have been ripped apart simply because they arrived seeking safety on different dates.

It simply can't continue.

We're spending billions of dollars per year. Our international reputation is being trashed. Our legal and democratic system is being undermined. And thousands of innocent lives are being destroyed.

It becomes more and more clear with every passing day that the only humane and responsible way forward is to evacuate everyone trapped on Nauru and Manus to safety in Australia.

If Turnbull and Dutton then want to prowl around the globe trying to find safe third countries to send people to – go for it. But they can't leave people in danger any longer. Because if they do, then further misery, suffering and death is absolutely inevitable.

*Daniel Webb of the Human Rights Law Centre was this week awarded a Global Pluralism Award by the Global Centre for Pluralism for his work defending the rights of refugees and people seeking asylum. The Centre was founded in Ottawa by His Highness the Aga Khan in partnership with the government of Canada. The award is recognition of Webb's work and recognition of the rising tide of international concern at the way the Australian government is deliberately mistreating people seeking safety.*

<https://www.theguardian.com/commentisfree/2017/oct/07/beyond-the-politicised-white-noise-refugees-are-being-brutally-mistreated>

#### **4. Gillian Triggs: Australian law has fallen prey to 'isolation and exceptionalism'**

Triggs uses Michael Kirby Oration to argue governments have taken advantage of the fear caused by terrorism

The Guardian  
Calla Wahlquist  
Wednesday 27 September 2017 19.44 AEST

Gillian Triggs has criticised the expansion of executive powers in Australia, saying Australian law has fallen prey to “isolation and exceptionalism” that has weakened democracy and left human rights undefended.

In a draft copy of her Michael Kirby Oration, delivered at Victoria University on Wednesday night, Triggs said governments had taken advantage of the fear caused by terrorism to introduce laws that were “out of proportion to the legitimate aim of protecting national security”.

She said that recent events including funding the \$120m postal survey on marriage equality without parliamentary approval, a move that was unanimously backed by the high court, and the decision to create a super ministry of home security continued the trend.

“My concern is that an imbalance has crept into our democracy so that increasingly the courts are marginalised by legislation,” she said. “Compliant parliaments, including oppositions over many years, have failed to exercise their historical restraint and pass laws that breach the rule of law. Executive cabinet government assumes ever more power.

“The result is that our democracy becomes weakened by the growing powers of the executive and by a corresponding diminution in the independence of the judiciary and a growing impotence of parliament.”

Triggs said the failure of Australian courts to consider international laws when making decisions meant Australian law, particularly around immigration, had diverged from that of other similar countries to become “among the most inhumane in the world.”

She said that problem was compounded because Australia did not have a bill of rights and had not, in most cases, enacted the international treaties it had ratified into law.

“For all these reasons, in Australia we no longer speak the language of human rights and are increasingly out of step with comparable legal systems in the UK, Europe, Canada, the United States, even our cousins the New Zealanders,” she said.

Triggs said the argument that any of the laws that expand executive power may be individually justified, for example counter-terrorism measures designed to protect public safety, fell over when the collective impact was considered.

“My concern is that these examples when viewed together become greater than the sum of their parts and a distortion of democracy,” she said.

She said governments had taken advantage of fear around terrorism and unregulated migration to enact laws that were not based on evidence, were disproportionate to all legitimate purpose, breached fundamental freedoms and contravened the rule of law.

They then used that fear to avoid scrutiny those laws, she said.

“Questions of national security, justified by a fear of terrorism, often conflated with a fear of unauthorised arrivals of immigrants, asylum seekers and refugees, even a fear of Islam itself, have shielded government measures from political challenge as a taboo subject, creating a vacuum of silence in the absence of strong leadership,” she said.

Triggs has made a series of public speeches coinciding with the end of her five-year appointment as Australian human rights commissioner, which expired in July.

She was awarded the Voltaire award for free speech for public criticisms she made of Australia’s offshore detention centres and policies while in office.

The foreign minister, Julie Bishop, has previously said Triggs’s assessment of Australia’s human rights record was “misguided.”

<https://www.theguardian.com/australia-news/2017/sep/27/gillian-triggs-australian-law-has-fallen-prey-to-isolation-and-exceptionalism>

## **5. Peter Lewis: In the heat of the political battle, objective reality is having a tough run**

When politics is built on shifting factual sands, it’s difficult to erect anything of substance. There’s no easy way to reverse the rise of post-truth in Australia

The Guardian  
Peter Lewis  
Tuesday 26 September 2017 13.33 AEST

What passes as political debate in Australia right now feels like it is careering out of control, a mutinous vessel no longer anchored to facts, context or reality.

Politicians argue about the need to burn coal to allow our privatised electricity network to deal with summer heatwaves, ignoring that increased capacity is caused by a climate change they vehemently deny.

Opponents of marriage equality construct a bizarre postal survey rather than allow parliament to debate legislation and then argue if you don’t know the detail about the protection of religious freedom then you should just vote no.

Laws are rewritten to outlaw industrial activity in the construction industry so that the unions who operate outside these constraints can be demonised as criminals.

Those in the fourth estate who used to arbitrate facts have taken the redundancy cheques; those who remain (present company excepted) too stretched or too compromised to fight for truth.

And all the while the shrill voices on the fringes indulge in what has become an eternal Twitter-fuelled shouting match, reinforced by whatever truths they want to believe.

While the emergence of the bellicose orange-hued blowhard in the White House may represent the zenith of post-truth politics, this is just an exaggeration of what our world had already become.

In a challenging read in September’s Atlantic magazine “How America lost its mind”, Kurt Andersen puts Trump in a historical context that he argues goes to the heart of the American Dream: the right of the individual to believe whatever it is they want.

“The American experiment, the original embodiment of the great Enlightenment idea of intellectual freedom, whereby every individual is welcome to believe anything she wishes, has metastasized out of control,” Andersen argues.

“Little by little for centuries, then more and more and faster and faster during the past half century, we Americans have given ourselves over to all kinds of magical thinking, anything-goes relativism, and belief in fanciful explanation – small and large fantasies that console or thrill or terrify us. And most of us haven’t realised how far-reaching our strange new normal has become.”

Andersen’s America believes in creation and heaven and hell, ghosts and angels, UFOs and extraterrestrial landings; it embraces conspiracy theories on everything from climate change to vaccinations and staunchly defends its rights to hold these views.

And the kicker in Andersen’s analysis is that the two drivers of the rise of these alternative realities have been movements that progressives would see as part of our legacy – the 1960s counterculture and the rise of the internet.

Andersen argues the 60s gave western thought the permission to break free of the shackles of objectivity, the drug-fuelled, free-love, postmodern assault on certainty allowing anyone and everyone to construct their own reality. We embraced the attack on conservative constructs without quite appreciating the implications of our intellectual triumph.

When the internet took the next step in breaking down the hierarchy of scarce information, we celebrated its capacity to challenge the existing gatekeepers. But we didn’t appreciate how it would become a home for every venal view and belief dressed up as fact, fuelled by search algorithms that order information by popularity rather than by the quality of the information.

To Andersen, this is a curiously American phenomenon: the sole remaining world power’s grip on global hegemony is compromised by myths and dreams of its own construction.

But the same waves have applied through Australian culture, albeit we have never been at the epicentre of these cultural moments. Over the past decade our political discourse has been shaped by conservatives like Tony Abbott and Cory Bernardi who have been heavily influenced by both the ideology and the tactics of the American conservative right.

Our major news outlets are owned and run by a former Australian who has been both a player and a shaper of the partisan echo chamber that has transformed the US media landscape to allow a figure like Trump to triumph, if not thrive.

“He used the new and remade pieces of the fantasy-industrial complex as nobody had before,” Andersen writes of Trump.

So how susceptible are we to the rise of a post-truth leader in Australia? Figures in this week’s Essential Report make for sobering reading.

While our participation in organised religion has been on the decline in recent decades, 40% of us still say we have a literal interpretation of the central tenants of heaven and hell. More than one third of us believe in angels and demons, ghosts with skin in the game, aliens who have visited the Earth and that Adam and Eve is more than a fable. While the number supporting popular conspiracy theories are lower, they still are at numbers that can influence the outcome of elections.

Breaking these numbers down, Coalition voters are more likely to embrace all the propositions than Labor and Green voters, suggesting here too that it is from the right where the post-truth market is strongest. And in what surprised me most about these results, it is among younger voters that support for these propositions is strongest.

Is this an indication of the real impact in a breakdown of the objective worldview, in the living consequences of the social media echo chamber or simply an assertion of the wisdom of age?

Anderson’s central warning is that when politics is built on shifting factual sands, then it is virtually impossible to erect anything of substance.

How can you manage the necessary transition of our energy base when the warnings of the science community can be so easily dismissed? How can we talk about providing everyone with a house, when the market is run by an industry that constructs its own commercial reality? How can we honour love when panic about gender reassignments sells so many more papers?

Objective reality has had a pretty tough run over the past 50 years, and who isn’t tempted to gild the lily in the heat of the political battle, when there’s no one to call you out, except the other side that no one trusts any more than they trust you?

As Andersen concludes, there is no easy way to reverse the decline, but a struggle to make politics reality-based again, where facts trump feelings and fantasy and challenging untruths is an act of political commitment, could be the necessary first step.

<https://www.theguardian.com/commentisfree/2017/sep/26/in-the-heat-of-the-political-battle-objective-reality-is-having-a-tough-run>

## 6. Arnold Zable: From Manus to London: how two strangers made a landmark movie together

Sydney Morning Herald  
October 5 2017  
Arnold Zable

This weekend, audiences at the London Film Festival will watch a film about the men detained on Manus Island. Behind this film lies a tale about a friendship and a creative partnership, formed across oceans, between two people who are yet to meet.

In mid-2016, Netherlands-based Iranian filmmaker Arash Kamali Sarvestani planned to make a film about children and their feelings for the sea. At the same time, he began hearing of the immigration detention centres on Manus and in Nauru, and the children marooned there. He asked himself: Would these children view the sea with love, or as a prison?

Sarvestani tried to find an asylum seeker on Nauru willing to interview the children about their relationship to the sea. No one wanted to take it on. The detainees feared for their families and their refugee status. They believed they risked being penalised for taking part.

"As I read and learnt more about the centres I was shocked," says Sarvestani. "I thought, I can't make a film about kids anymore. It is more important to make a film about the camps."

Sarvestani came across an article by Kurdish-Iranian journalist and writer Behrouz Boochani, who has been detained on Manus Island since August 2013. Boochani fled Iran in fear of his safety due to his writing in support of Kurdish rights and culture.

"I am thinking about people in Manus and Nauru camps, especially kids," Sarvestani messaged Behrouz on August 5, 2016. "I don't know how humans can do this kind of thing to other humans. I would like to do something. I think there should be a fiction movie, or documentary shot inside the camp. I know it is impossible for me to come there. Maybe with a small camera we can do it."

"We got to know each other in voice messages on WhatsApp," Sarvestani recalls. "We discussed films, creativity, life in the camp. He was excited when he heard that I had done a workshop with the great Iranian filmmaker Abbas Kiarostami, whose movies he loved.

"WhatsApp was a good way to establish our relationship. The delay between messages gave us time to think about our answers. I began to know Behrouz's moods and more about the terrible life of the men imprisoned on the island."

There were numerous discussions about the technical challenges, and times when the problems encountered in transmitting quality images seemed insurmountable. But the deepest issue in the early days was trust.

The creative partnership, and friendship, was sealed when Sarvestani assured Boochani they would work as co-directors, with Boochani as cameraman, filming on smartphone, and Sarvestani as his cinematic mentor and co-writer.

During his years of captivity on Manus, Boochani had sent many images and information to journalists, often with little or no acknowledgment. He was overjoyed in finding a partner offering to work with him on an equal footing.

The collaborators worked with a sense of urgency. Boochani filmed the scenes within the camp clandestinely. Images and edits flew back and forth across oceans. The film evolved in tiny WhatsApp packages.

"We were excited by the collaboration," Sarvestani says. "Behrouz was smart. He got everything quickly. He understood what I meant when I said 'treat each frame as a painting'. He quickly saw how the editing and the soundtrack enhanced the impact of the footage. This freed us up to talk about the story."

As a father and daytime carer of a young daughter and six-month-old son, Sarvestani did much of his work with Boochani at night. "Many conversations took place between midnight and three o'clock Dutch time," Sarvestani says. "It was also the best time for internet connections with Manus Island. Then I slept for a few hours, and at 6 o'clock my daughter kicked me out of bed."

Sarvestani was split between his day-to-day life as a family man, and a dark zone which he entered at midnight.

"I began to feel like a detainee myself," he says. "At that time a few things were happening that gave the men on Manus Island some hope. The Supreme Court of Papua New Guinea said the camp was illegal and should be shut down. I could see how Behrouz and the men became happy. Then when they saw their situation did not improve, they were down. When the US deal was announced, they were up and down again.

"They felt that people were playing around with them, torturing them. Every night I felt I was there with them.

"I have lovely kids, and that helped me not be totally depressed. But I heard a lot of bad things and I couldn't do anything about it. I still feel it."

'Chauka, Please Tell Us the Time' was completed in just six months, with some extra shooting during post-production to fill in gaps in the storytelling. Despite the technical restrictions, the 90-minute documentary is a poetic, hypnotic film, as well as a damning indictment of a brutal policy. It conveys the ordeal endured by the 900 detained men, imprisoned and marooned in the prime of their life. They are seen endlessly waiting, pacing, stuck in limbo, enduring the tropical heat, the whirring of fans, the erosion of hope and destruction of spirit.

Boochani films his fellow detainees making calls home to loved ones. The conversations capture the unbearable pain of separation: "I am parted from my child," one asylum seeker laments in his three-minute weekly call to his wife.

Referring to a child born after he fled his country, he says: "I haven't had a chance to hold him, touch him or feel his presence."

"Look mum, please don't cry. Please don't cry. Look mum, I am stuck here ... I have no control over this," pleads another. The men's despair is underscored by the recurring strains of a haunting Kurdish folk song, sung by one of the inmates.

The smartphone pans over the cramped living spaces, the tiny cubicles partitioned by sheets and tarpaulins to create a fragile and claustrophobic privacy. We hear the comments of broken spirits: "I prefer to be dead because I have nothing any more ... no one is waiting for me, and I am waiting for no one. I have lost everything."

There are surreal images - rows of white plastic chairs leaning against the wire through which can be seen the unobtainable sea; the incessant drone of the fumigation apparatus, its plume of smoke enveloping the centre. The men's plight is contrasted with images of exuberant Manus children dancing just beyond the fence, and by close-ups of cats roaming freely within and beyond the cyclone wire.

FULL STORY AT <http://www.smh.com.au/national/from-manus-to-london-how-two-strangers-made-a-landmark-movie-together-20170926-gyow9k.html>

## 7. Secret film shows plight of "forgotten" refugees in Australian camp

by Umberto Bacchi | @UmbertoBacch  
Thomson Reuters Foundation, London  
Sunday, 8 October 2017 21:10 GMT

A movie secretly shot inside an Australian-run detention centre for asylum seekers highlights the plight of thousands of "forgotten" refugees who have been marooned for years on remote Pacific islands, its co-directors said on Sunday.

"Chauka, Please Tell us the Time", which had its international premiere at the London Film Festival, offers a glimpse into daily life at a detention complex on Manus Island in Papua New Guinea, 160 km (100 miles) north of Australia.

Nearly 2,000 men, women and children are held on Manus Island and at another Australian-funded centre on the tiny Pacific island of Nauru, where most of them have been given refugee status.

But despite their refugee status, many have been held for four years in conditions criticised by the United Nations and rights groups.

"This movie is our voice and we want people around the world to hear it," co-director Behrouz Boochani, a Kurdish journalist from Iran, told the Thomson Reuters Foundation by phone from Manus, where he has been held since 2013.

Canberra's hardline immigration policy requires asylum seekers intercepted at sea trying to reach Australia to be sent for processing on Manus Island and Nauru. They are told they will never be settled in Australia.

"People are dying on this island," said Boochani, referring to the recent suicide of two asylum seekers.

Boochani filmed the documentary on a mobile phone and sent it in short clips via WhatsApp to Dutch-Iranian film-maker Arash Kamali Sarvestani, who made it into a movie.

Most of the footage was recorded surreptitiously.

"We were alone ... I, Behrouz, and a smart phone - that's it," Sarvestani told the Thomson Reuters Foundation in an interview in London.

The movie shows asylum seekers struggling to cope with the camp's monotony and prolonged separation from their families, while a journalist investigates reports of ill-treatment in a solitary confinement unit nicknamed "Chauka" after a local bird.

Interviews are alternated with stark, silent shots of a butterfly, a kitten or children playing on the other side of the security fence separating the camp from the outside world.

"We wanted to make it poetic, we wanted to give space to the audience to think," Sarvestani said.

Boochani couldn't attend the London premiere as he is not allowed to leave Manus Island. He and Sarvestani have never met in person.

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

In September, a few dozen refugees left for resettlement in the United States under the refugee swap that U.S. President Donald Trump described as "dumb" but begrudgingly said he will honour.

But Australia is now facing increased pressure to resettle asylum seekers from Manus Island because of the planned Oct. 31 closure of the camp that has been subject to violence from locals.

Concerns persist that many of the refugees will not be offered U.S. resettlement.

"Everything is uncertain ... we are worried," said Boochani.

Australian officials did not immediately respond to a request for comment.

*Reporting by Umberto Bacchi @UmbertoBacchi, Editing by Belinda Goldsmith; Please credit the Thomson Reuters Foundation, the charitable arm of Thomson Reuters, that covers humanitarian news, women's rights, trafficking, property rights, climate change and resilience. Visit <http://news.trust.org>*

<http://news.trust.org/item/20171008211711-g0d53/>

## **8. Detention centre workers suffering their own trauma in dealing with asylum seekers**

Sydney Morning Herald  
February 26 2016  
Nicole Hasham

Jessica\* and her colleagues were heading into town for dinner one night when a commotion at the Nauru detention centre stopped them short.

A few metres up, a young female asylum seeker was on a roof, pacing and threatening to jump.

"She was wandering around really agitated and talking in [her native] language," Jessica recalled.

As security guards discussed how to stop the impending tragedy, she simply felt anaesthetised.

"I just went into block-out mode," she said.

"Every time something happened or I heard a [disturbing] story it just hit me in the chest and I just shut it out, I wasn't allowing anything to penetrate."

Now back in Australia, the former Save the Children teacher is suffering post-traumatic stress disorder. A lunch with friends leaves her drained. The once-extroverted high school teacher who went to Nauru to "do something to help" is now withdrawn, receives therapy and cannot work.

She remembers the screams of asylum seekers cutting the sticky Pacific air, and "seeing the lights go out" in the eyes of children she taught.

"You just saw them progressively deteriorate ... and that's incredibly distressing," she says, fearing the long-term effect on their lives.

Jessica is among a host of former detention centre workers who say they suffered psychological harm while working in facilities in Australia and at Nauru and Manus Island.

While the mental health issues suffered by asylum seekers is well-documented, the trauma and other conditions their teachers, carers and captors experienced has garnered less attention.

Former workers have told Fairfax Media of nightmares, strained marriages and destroyed careers. One who thought he had seen it all as a former military worker said the horrors of Nauru were "mind blowing ... if I had the time again I wouldn't have gone there at all".

A lawyer says many affected workers are left in legal limbo – mired in lengthy, complex claims for compensation as Australian insurers and employers deny responsibility for the psychological damage, which often occurred in overseas detention centres.

The exact number of former workers suffering mental harm is difficult to pinpoint. The symptoms can take years to emerge, there are numerous channels through which compensation can be sought and the department does not have oversight of claims involving contractors.

In the four years to late 2015, seven claims were lodged with Comcare, the federal workplace insurer, for psychological injuries incurred in onshore detention centres. Three claims were accepted at a cost of more than \$250,000.

The Department of Immigration and Border Protection said it knew of seven other claims received by the Commonwealth involving psychological injuries to workers at onshore immigration detention in that period, but no money had yet been paid.

Two law firms – Maurice Blackburn and Shine Lawyers – are acting in a total of 17 cases involving mental harm to detention centre workers, and a further 10 cases are under investigation.

It is understood state-based workers' compensation agencies are also handling such claims.

Some damages claims are heard by the courts, such as the case of Martin Humphrey Hill, who was hired as a Nauru security guard in September 2012 by subcontractor Wilson.

Hill claimed he was given a brief induction that included travel arrangements and weather conditions at Nauru. On his first deployment a few days later, Hill says he responded to a riot in which detainees were armed with makeshift weapons, saw asylum seekers detained in isolation cells and cut down a detainee who had tried to commit suicide by hanging.

On his second stint, he responded to a second suicide attempt by a detainee, fended off another riot, witnessed detainees on a hunger strike and was "required to respond to violent and sexual assaults" between detainees, according to his statement of claim to the Supreme Court of Queensland. The case was heard last September and a judgment is pending.

Hill said he suffers permanent anxiety, distress, fear and agoraphobia. He is suing Wilson, contractor Broadspectrum, formerly Transfield, which provides major services at offshore detention centres, and the Commonwealth – claiming each should have known there was a real risk of psychiatric and other injury for employees at Nauru. A defence had not been filed at the time of writing.

Hill's experience is echoed by another former Wilson worker, Jon Nichols, who says he is being treated for post traumatic stress disorder and other mental harm following deployments to Nauru over almost two years until last June.

"Seeing people slash themselves with razor blades, cutting people down and performing CPR on them because they've hung themselves after a conversation with a lawyer – all of those sorts of things are what's triggered me to be in the position I am now," Nichols says.

Like other scarred former staff, he can no longer work full time, and fears he will lose his Brisbane home.

The married father of four is heavily medicated to ward off nightmares and bouts of anger and aggression. His wife is "very bitter towards Nauru because it took away her husband".

Of the alleged attempted hanging, Nichols says: "Honestly I thought he was dead ... I'd never been involved in anything like that in my life. In the limited training that was provided to us by Wilson, I certainly wasn't prepared for that." He is seeking compensation from Wilson Security, which is part of the Wilson group.

Nichols, 40, gave evidence at a Senate inquiry into Nauru last year, in which he claimed to have witnessed the aftermath of waterboarding of detainees by guards. Wilson dismissed his evidence as "preposterous".

Departmental guidelines provided to Nauru workers, obtained by Fairfax Media, state that all staff should know how to "cut down a transferee who is hanging".

So-called "cut-down knives" are available at the camp and carried by staff in a belt pouch.

Where possible, the department says at least two staff should help someone found hanging – one to support their weight and the other to cut the noose.

FULL STORY AT <http://www.smh.com.au/federal-politics/political-news/detention-centre-workers--suffering-their-own-trauma-in-dealing-with-asylum-seekers-20160225-gn3buk.html>

## 9. Australians in Sydney protest plight of asylum seekers on Pacific islands

With one detention center set to close on October 31, human rights advocates want Australia to accept the asylum seekers. But Canberra remains determined to deny those imprisoned that opportunity.

(Australien Sydney Demonstration für Flüchtlinge (Reuters/D. Gray))  
Deutsche Welle News  
15.10.2017

Hundreds of human rights advocates in Sydney have protested the ongoing detention of asylum seekers on Pacific islands as a resettlement deadline approaches.

The government's draconian immigration policy refuses to consider asylum claims for those picked up at sea. Instead, these people are detained on remote Pacific islands - Papua New Guinea's (PNG's) Manus Island and the Micronesian island of Nauru.

A court has ordered the Manus detention facility to close by October 31. Despite this order the government in Canberra still refuses to consider asylum requests and is instead planning to relocate the people to PNG's Manus Island.

Sunday's protesters are demanding that the asylum seekers be brought to Australia.

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

### ***Detainees oppose PNG***

Behrouz Bouchani is a Kurdish journalist detained on Manus. He said in a Facebook post on Friday that the detainees do not want to be resettled in PNG as they will not be able to work or provide for their families there. Nor will they feel safe, he added.

The office of Australia's immigration minister, Peter Dutton, was not immediately available for comment.

Late last year, then-US President Barack Obama agreed to take in as many as 1,250 asylum seekers being detained in PNG and Nauru. In exchange, Canberra agreed to take in refugees from Central America.

Nearly two dozen men left to be resettled in the United States last month, the first part of the refugee swap between the US and Australia.

Australia has held 2,125 people in these offshore detention centers over the past four years, according to Australia's Department of Immigration. At the end of September there were still 1,111 people in the detention centers, with 742 on Manus and 369 on Nauru.

bik/jm (Reuters, dpa)

<http://www.dw.com/en/australians-in-sydney-protest-plight-of-asylum-seekers-on-pacific-islands/a-40958664>

## 10. Manus Island refugees offered transfers to Nauru while US resettlement applications processed

ABC Radio CAF - AM  
By political reporter Tom Iggulden  
Wednesday 11 October 2017

Refugees on Manus Island are being offered transfers to Nauru while they wait to hear whether they will be resettled in the United States.

Posters went up around the Manus camp yesterday calling for volunteers to move to Nauru.

Immigration Minister Peter Dutton said the closure of the Manus detention centre at the end of the month meant the Government was trying to offer alternatives for detainees.

"We want people out of the Manus Island regional processing centre and we want that centre closed," he told AM.

Refugees who do not move can go into another facility on Manus Island, or into the PNG community.

A refugee in PNG said he doubted many people would apply to move to Nauru.

Amir Taghinia, from Iran, spoke to AM from Port Moresby where he is getting medical treatment.

"We do not want to move there because this is another detention centre, this is another island prison," he said.

"And we do not want to be resettled in Nauru or Papua New Guinea because these are not any solution."

The Greens said the attempt to transfer refugees to Nauru showed the Government had no plans for those currently housed in PNG.

Spokesman Nick McKim accused Mr Dutton of leaving it until the last minute to act.

"This absolutely reeks of panic and desperation," he said.

"I mean, Peter Dutton's basically trying to shift people from one of Australia's offshore prisons to another because he has no plan."

### ***Advocates 'prolonging difficulties for people on Manus'***

Amnesty International's senior research director Anna Neistat said she hoped Manus detainees would refuse the offer.

"Increasing the number of refugees currently in Nauru means increasing the amount of misery," Ms Neistat said.

But Mr Dutton said comments like that were counterproductive.

"I just say to any of the advocates and people running these political campaigns, you are prolonging the difficulties for people on Manus Island," he said.

"What they want is for these people to come to Australia.

"The Government's been very clear and our position will not change — these people will never come to Australia."

<http://www.abc.net.au/news/2017-10-11/manus-island-refugees-offered-transfers-to-nauru/9036994>

## **11. Refugees on Manus Island offered chance to move to Nauru**

Australian government accused of 'political trick' as hundreds of refugees refuse to leave Manus Island centre

The Guardian

Ben Doherty

Wednesday 11 October 2017 07.16 AEDT

Refugees held by Australia on Manus Island have been offered the chance to move to Australia's other offshore detention island of Nauru.

The detention centre on Manus has become increasingly tense, chaotic and unstable in recent weeks, as the Papua New Guinea and Australian governments scramble to close it down by the self-imposed deadline of 31 October.

Hundreds of refugees are refusing to leave the centre – ruled illegal by PNG's highest court more than a year ago – saying they are not safe in Manus's main town of Lorengau, where the governments are trying to move them.

Two refugees have killed themselves on Manus in the past two months and there have been a significant number of violent incidents between Manusians and refugees in Lorengau.

The Australian government has spent hundreds of millions of dollars building new housing in and around Lorengau and removed and diminished medical, food and other services in the detention centre, even banning cigarettes, in an attempt to get people to leave. But few refugees have been willing to move.

On Tuesday night, authorities in the Manus detention centre posted a notice inviting refugees who were in the process of applying to be resettled in the US to volunteer to move to Nauru. Refugees who want to move must apply by 23 October.

"The government of Nauru will then decide which refugees can transfer," it said. "Refugees transferring to Nauru will have access to the same services and resettlement arrangements as other refugees in Nauru.

"Transfers will not affect eligibility or progress of US resettlement applications."

The Iranian refugee and journalist Behrouz Boochani said there was widespread mistrust of the government's offer.

"It's the latest political trick to get the refugees out of the Manus detention centre, because the refugees have not left the detention centre despite the government's efforts to push them out in the past few months," he said.

"The refugees are saying they don't want to go to Nauru and they don't trust in this government. It's completely unacceptable that after more than four years the Australian government still refuses to solve the problem by taking the refugees to a safe place and instead is trying to send them to another hell."

Boochani said more than 700 men on Manus had been formally recognised as refugees and were legally owed protection.

"They should be allowed to start a new life in a safe place," he said. "They deserve to have this basic right."

Another refugee, Amir Taghinia, said that, after six deaths within the Manus detention regime, refugees feared for their lives and had repeatedly told the Australian government they would be attacked if they moved to Lorengau.

"We explained over and over again that we would rather stay in the Manus prison without hope than face violence in Lorengau," he said. "The Australian government is running out of time and have no plan, so they have come up with this relocation."

"Already too many lives have been lost, and the government knows that people are in danger in these camps, whether on Manus Island or Nauru."

The detention advocacy manager with the Asylum Seeker Resource Centre, Natasha Blucher, said the Australian government needed to realise it could not have more violence and further deaths in its detention regime.

"Dragging these men from one dangerous camp to another is not a solution," she said.

Over four years of the second iteration of "offshore processing", the Australian-run camps on Nauru and Manus have been the subject of consistent revelations of physical violence, including murder, sexual abuse of women and children, allegations of torture by guards, medical neglect leading to death and catastrophic rates of mental health damage, self-harm and suicide attempts.

The total cost of offshore detention, since being re-instituted by the Gillard Labor government, is nearly \$10bn. The Australian government also agreed to pay \$70m in compensation and damages to men held on Manus for their illegal detention in dangerous and damaging conditions.

The refugees held on Manus – most of whom have been there more than four years – have held more than 70 days of consecutive protests against their confinement on the island.

Fifty refugees from the Australian-run detention centres of Nauru and Manus have been resettled in the US under the agreement announced last year. Several hundred more are undergoing the process of "extreme vetting" implemented by the US president, Donald Trump, who is a reluctant collaborator in the deal.

The US has said it would consider resettling up to 1,250 refugees but is under no obligation to take any more than it has already as part of its drastically reduced refugee intake, which has been halved for the forthcoming year.

<https://www.theguardian.com/australia-news/2017/oct/11/refugees-on-manus-island-offered-chance-to-move-to-nauru>

## **12. Manus Island refugees told they can go to Nauru, with centre to close in three weeks**

Canberra Times  
October 11 2017  
Michael Koziol

Refugees on Manus Island have been told they can transfer to Nauru, Australia's other offshore processing location, before the detention centre on Manus closes at the end of this month.

Signs posted around the centre on Tuesday evening informed refugees they could "apply" to go to Nauru by completing an "expression of interest" form by October 23.

The move – which would transform the refugee population on Nauru, which was previously set aside for families – was strongly condemned by refugee advocates, human rights organisations and the Greens, who said it was simply shunting people from one island "prison" to another.

The transfer was only available for refugees who had applied for resettlement in the United States, the signs said. Their applications to the US would remain unchanged, but they would also have the option of staying in Nauru for up to 20 years.

"The government of Nauru will then decide which refugees can transfer," the refugees were told. "Transfers will not affect [the] eligibility or progress of US resettlement applications."

A spokeswoman for the Department of Immigration and Border Protection confirmed the Nauru offer and said it would remain voluntary. "No one will be forced to move to Nauru," she said.

The Australian and Papua New Guinean governments have agreed to close the regional processing centre on Manus Island by October 31, following a PNG court ruling last year.

As the centre has been progressively dismantled, refugees have been offered alternative accommodation in the nearby township of Lorengau.

But most have refused to move, citing concerns for their safety amid rising tensions between refugees and local Manusians.

Behrouz Boochani, an Iranian refugee and journalist at the centre, said demolition continued on Tuesday but refugees did not want to go to either Lorengau or Nauru.

"It's completely unacceptable that after more than four years the Australian government still refuses to solve the problem by taking the refugees to a safe place," he said.

Daniel Webb, director of legal advocacy at the Human Rights Law Centre, said the Nauru offer showed the government was "scrambling" to meet the October 31 closure deadline.

"They keep saying they'll close the Manus facility in three weeks but they know there is nowhere safe for the men trapped inside it to go," he told Fairfax Media.

"After four long years filled with fear, limbo and violence, it's not good enough to just transfer suffering from one island to another."

Amnesty International senior research director Anna Niestat said Immigration Minister Peter Dutton was "desperately trying to find ways to mask rather than solve the problem".

And Greens immigration spokesman Nick McKim said the move "absolutely reeks of panic and desperation".

However, the possibility of transferring refugees from Manus to Nauru has been open since at least May, when Immigration Department secretary Mike Pezzullo confirmed three-way talks were under way.

He told a Senate estimates hearing the government had "noted" an offer from Nauru to accept men from Manus, and said: "We are in discussions with the government of Nauru about the possibilities that that creates."

Nothing had been concluded at that stage, Mr Pezzullo said. Nauru has historically received a monthly payment from Australia of \$3000 per refugee as part of the regional processing arrangement.

According to an official Operation Sovereign Borders update on Tuesday, 742 men remained at the regional processing centre on Manus Island at the end of September, and 369 people on Nauru.

However, there are close to 900 other refugees living in the community in Nauru, and dozens of men in PNG living at the East Lorengau Refugee Transit Centre or at a hotel in Port Moresby.

The US has so far accepted 54 refugees for resettlement, who left the islands late last month. The country is expected to take up to about 1250 people under an agreement struck between Malcolm Turnbull and Barack Obama, which Donald Trump agreed to honour.

<http://www.canberratimes.com.au/federal-politics/political-news/manus-island-refugees-told-they-can-go-to-nauru-with-centre-to-close-in-three-weeks-20171010-gyycbo.html>

### **13. MEDIA RELEASE: Manus detainees call for end to forced relocation as community tensions mount**

Friday October 13, 2017  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

More than 500 detainees at Manus Island have written to the PNG authorities (text below, written pages and extract of signatures, attached) calling for the PNG government to provide safe resettling third countries, an end to their imprisonment.

The letter comes as today (Friday 13 October) marks day 74 of protests on Manus Island, and as services - including medical services - continue to be withdrawn.

Tensions are also mounting among Manusians as the closure of the detention centre looms, and asylum seekers and refugees are threatened with forced eviction from the detention centre and relocation to other areas of Manus Island.

Quoting their own safety concerns, angry local meetings in ward 1 of the Lorengau settlement have rejected the Australia-PNG government's move to transfer asylum seekers to 'private properties in Lorengau Town.' They have called for their two members of parliament to face a public meeting and 'address their grievances'.

But pro-refugee protests are also being planned to oppose the forced relocation of the refugees and asylum seekers.

Manus detainees are being told they must move, although it is understood that two areas touted as new accommodation for refugees and asylum seekers, Hillside Haus and West Lorengau Haus, are still under construction, with no provision for security or general health or mental health care.

Lorengau hospital is unable to provide even basic health care for the Manusian community, let alone cater for the special needs of 800 more people dumped on its doorstep.

"After holding people illegally for over four years, the Australian government has embarked on a dangerous and reckless process of brutalising people who have been found to be refugees, needing international protection. People are dumped in a community that is ill-equipped and unable to support them," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

The Refugee Action Coalition is holding a protest rally in Sydney on Sunday 15 October:

For more information contact Ian Rintoul 0417 275 713

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To the people in authority over the treatment of refugees,

To PNG Prime Minister, the Attorney General, Parliaments Members, Police, Royal PNG constabulary and Chief Justice of PNG.

We have been held in your country against our wishes and have been denied our liberty and have been tortured in your country.

We came to Australia asking for asylum. Australia has signed the 1951 UN Refugee Convention however they deliberately broke it and has had not offered us asylum. The UN, UNHCR, Amnesty International, Save the Children and many other organisations have rebuked Australia's treatment of us here in Manus Detention Centre.

Please do not go along with this mistreatment of humans. We do not want to move into Manus. We do not feel safe. We can not work or provide for our families, we cannot be respected by people in society here. We don't want to resettle in PNG. We came to Australia - Australia should offer us asylum, Or give us to a safe country like New Zealand has already offered to take us. We will happily start our new life there.

Your own constitution says that we are illegal here. PNG High Court said last year that Lombrum detention is illegal and now in the end of October, Australia government said we are closing it. But they have built another 3 centres in town. Where they will dump us in there for years.

How is this not illegal also? What words and phrases have been changed to make it not illegal?

The constitution says that detaining of innocent people in PNG is illegal. It doesn't say that detaining of innocent people in Lombrum is illegal and legal in other parts of PNG.

Yet the situation remains the same. The semantics may have changed, yet the conditions have not. This is not right. For how long will you keep us on this island against our will?

We are refugees and that means going home to our homeland is not an option we can take. Yet staying in PNG is not giving us our liberty back either. And we are dying by the policies that you implement. Please don't kill us anymore. Our 6 friends have already died by this cruel policy that you have a hand in and support.

Australia, and PNG both have killed refugees who were unarmed and defenceless.

PNG please show some compassion and humanity. You claim to be a Christian Country. Yet the way you are treating vulnerable people is against how the bible says to treat people. Is this how you love your neighbours? Is this showing justice and compassion to those in need? That's what Jesus told you to do. Instead you are helping Australia harm and torture innocent people and put them in detention for years. You are helping those who are torturing us and want to kill us.

Please consider our plea.

We are defenceless.  
We will not fight.

But we plead and ask you to help us have our freedom.

We all are asking, all of PNG authorities that don't force us to resettle in your country. We have much respect for your people and your country and your law. If something happens to us, PNG You will be responsible, because you are supporting this cruel policy with Australia.

From now on if ANY of us found dead or hanged outside of detention centre in PNG, it would mean that he has been killed. Because we will not kill ourselves.

Thank you.

## **14. MEDIA RELEASE: Resettlement farce as Manus refugees face more threats**

Friday October 13, 2017  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417

The latest notice on Manus Island announces the next stage in trying to force refugees out of the detention centre and into greater danger in the Lorengau settlement.

Refugees can no longer purchase anything at the detention centre canteen, nor will they receive points that can be used at the canteen.

Refugees have been told that they must transfer to East Lorengau Transit Accommodation - where robberies and bashings are common. Two refugees housed at East Lorengau have committed suicide in the last two months.

Now refugees and asylum seekers are banned from using the sports field adjacent to the detention centre. "Trespassers" are threatened with being turned over to the PNG police Mobile Squad, a police outfit renowned for its brutality.

"The government is ruthlessly following a policy of collective punishment to effectively starve refugees into submission, and deprive them of services, safety, and medical help," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

These notices were issued at the same time that the government made the farcical announcement that refugees would be allowed to apply to transfer from Manus to Nauru.

"The transfer offer is absurd," said Ian Rintoul, "Except for perhaps one or two people who have been kept separated for years from their families or partners on Nauru, no-one is going to transfer."

"However, the notice does reveal that the government has no confidence in the US deal. If people were going to be resettled in the US, why is the government offering transfers from Manus to Nauru."

An even more revealing Nauru government notice that poses questions over the US deal, is being circulated among refugees in Port Moresby. It seems to go further than an earlier notice and declares that Manus refugees (not just those 'in the US resettlement process') can express an interest in transferring to Nauru and '...pursue resettlement in the United States or could stay in Nauru for up to 20 years.'

"The government is thrashing around pretending it has a resettlement plan for the refugees on Manus and Nauru," said Rintoul, "But there are no guaranteed resettlement options. The refugees and asylum seekers are hostage to blind government policy."

"Every day, Manus slides further into a morass of human rights abuse and government indifference. The situation on both Manus and Nauru is increasingly urgent. The only safe option is to evacuate the prison camps and to bring all those on Manus and Nauru to Australia."

### **BRING THE ROHINGYAN REFUGEES HERE TOO**

Over 500,000 Rohingyans have fled ethnic cleansing in Myanmar over the last two months, yet Australia has not yet agreed to take any Rohingya refugees. Over 150 Rohingya refugees are on Manus and Nauru. Some are being held in mainland detention centres.

The Turnbull government should lift the ban on UNHCR refugee from Indonesia, and the policies that prevents family reunions for refugees who arrive by boat.

Australia took 12,000 Syrian refugees after popular pressure forced then Prime Minister Tony Abbott to relent. Australia should take in many more Rohingyans from the crisis in its own backyard. The Greens call for Australia to take 20,000 Rohingya refugees would be a good start.

For more information contact Ian Rintoul 0417 275 713

## **15. Australia to be elected to powerful UN human rights council**

Council wrestling with abuses among current and prospective members such as Philippines and Democratic Republic of Congo

The Guardian  
Ben Doherty  
Saturday 14 October 2017 14.30 AEDT

Australia will be elected uncontested to the powerful United Nations human rights council on Monday in New York, as the council wrestles with rights abuses among current and prospective members.

Current council member the Philippines is waging a deadly extrajudicial 'war on drugs' that has killed at least 6,000 people, while prospective member the Democratic Republic of the Congo is riven by conflict, arbitrary arrest, torture and killings by security forces, and the persistent recruitment of child soldiers.

Elections to the 47-member council will be almost entirely uncompetitive. Only among Asia-Pacific states, where six states are competing for four seats, will places be contested.

In all other geographic groupings, the number of candidates matches the number of seats.

However, election is not a formality: a majority of votes cast is needed for election, and a country could be denied a spot if half of the member countries voting refuse to cast a vote for it.

Australia was competing for one of two 'Western Europe and others' group seats against Spain and France, but France's withdrawal made Australia's elevation almost certain.

Australia has campaigned globally for its position on the human rights council, arguing it will promote gender equality; good governance; freedom of expression; indigenous rights; and strong national human rights institutions.

It has also said it will advocate for the global abolition of the death penalty. "Australia will bring a principled and pragmatic approach to our term on the human rights council," foreign minister Julie Bishop said, launching Australia's bid.

But Australia's asylum policies – particularly boat turnbacks and offshore detention – as well as its failure to address Indigenous health, education and incarceration issues have attracted consistent criticism by UN bodies.

Director of legal advocacy with the Human Rights Law Centre, Emily Howie, said Australia, compared with some other new members, would be well positioned to push for positive reforms on the human rights council.

"But its cruel treatment of refugees will continue to haunt and stymie Australia's efforts during its term. It can't truly lead on human rights while it is blatantly breaching international law."

Howie said the lack of competitive slates in the voting process was a genuine concern for the quality of membership.

"In a number of regions, countries with troubling records are standing unopposed. Vote trading and sliding standards will undermine the credibility of the human rights council.

"Australia needs to do all it can to make sure it's part of the solution. There's no place for double standards or craven failures to speak out against the type human rights atrocities currently unfolding in Myanmar."

Membership of the human rights council is controversial. Saudi Arabia, which has executed more than 100 people this year, is a council member, and the Philippines, whose government is currently waging a brutal extrajudicial 'war' on drug crime, has been warned by rights groups it risks being suspended from the council if it continues to violate human rights. A two-thirds vote by the UN general assembly is required for suspension.

The countries who will be promoted for three-year terms on Monday have a mixed human rights record at best.

In the Democratic Republic of the Congo, riven by war for decades, security forces employ torture, rape, arbitrary arrest and extrajudicial killings, and children are forcibly recruited to fight as soldiers.

Mexico's security forces have been consistently accused of extrajudicial killings, enforced disappearances and torture as part of efforts to combat violent organised crime.

And in Senegal, issues of child trafficking and exploitation, unlawful killing by security forces and deaths in custody, remain prevalent.

All will almost certainly earn spots on the council Monday.

Human Rights Watch said the DRC Congo's bid, in particular, should be rejected.

"Accepting Congo's election bid would undermine the founding principles and credibility of the UN's top rights body and its ability to promote respect for human rights," Louis Charbonneau, UN director at Human Rights Watch, said. "It would also be a serious affront to the countless victims of government abuses and to the work of courageous Congolese activists."

Afghanistan, Pakistan and Qatar are also candidates for the Asia-Pacific's allocation of seats.

<https://www.theguardian.com/world/2017/oct/14/australia-to-be-elected-to-powerful-un-human-rights-council>

## **16. Report on Australia's human rights record to be scrutinised by UN committee**

Evidence from NGOs across Australia including on refugees and youth incarceration, will say 'Australia has clearly gone backwards' in some areas

The Guardian  
Ben Doherty  
Monday 16 October 2017 04.00 AEDT

Australia's human rights record will be critically assessed by a panel of experts this week, with controversial asylum policies and persistent indigenous issues highlighted as areas of significant concern.

As Australia prepares to join the UN's powerful human rights council, officials from Canberra will appear before the UN human rights committee in Geneva on Wednesday and Thursday.

But from Monday, a coalition of non-government organisations will brief the committee on rights issues across Australia, and the country's compliance with global rights treaty, the International Covenant on Civil and Political Rights.

On the same day, Australia will be elected unopposed to the powerful, but controversial, UN human rights council, in New York.

While a report prepared for the Geneva committee argues while Australia has made some positive steps towards improving human rights protection, such as sex discrimination laws and parliamentary scrutiny of rights in legislation, it says "in some areas Australia has clearly gone backwards".

Australia's policies of boat turnbacks and indefinite offshore detention (re-introduced since Australia's last assessment) are in violation of international law, and expose refugees, to whom Australia legally owes protection, to danger, and imposes cruel, inhuman and degrading punishment. The federal government recently agreed to pay \$70 million in compensation to men illegally detained in dangerous and damaging conditions on PNG's Manus Island.

Other issues cited as examples of Australia's regression include: reports of systematic violence and abuse against children held in youth detention; the Australian federal police's information-sharing with foreign security agencies that lead to the imposition of the death penalty; increased police powers to lock up indigenous Australians without charge; and extreme metadata retention laws.

The director of legal advocacy with the Melbourne-based Human Rights Law Centre, Emily Howie, told Guardian Australia: "A close look at Australia's human rights record shows that Australia is going backwards almost across the board – on treatment of refugees, indigenous incarceration, violence against women, protecting children in youth justice and the physical safety of people with disability".

"Even our basic democratic rights, once supported across the parliament, are being diminished by excessive secrecy in government and laws that stop people from speaking out even where they witness human rights abuses or government misconduct," Howie said from Geneva.

Howie said persistent rights issues had damaged Australia's international reputation.

"Unfortunately, the asylum policies and treatment of indigenous people cast a pall over Australia's international reputation ... If Australia wants to be taken seriously as a champion of human rights on the [human rights] council, it urgently needs to lift its game."

In its report to the committee, the Australian government said it was committed to its international obligations and to upholding human rights.

“Australia implements its international obligations through a range of measures, including through legislation, policies and programs at federal and state levels, and through common law.”

The government defended offshore detention and processing as legal.

“New memoranda have been entered into with both Nauru and PNG ... both countries agree to ensure that transferees will be treated with dignity and respect and that relevant human rights standards are met.

“Having been granted the above-mentioned assurances by Nauru and PNG, and having assessed the totality of the circumstances, Australia’s position is that transferring people to the sovereign states of Nauru and PNG for the processing of their asylum claims and settlement there does not breach Australia’s international obligations.”

Australia signed the optional protocol to the convention against torture and other cruel, inhuman or degrading treatment or punishment (Opcat) in 2009.

Eight years on, it has still not ratified the Opcat, but has promised to by December this year. The protocol would require Australia to establish a monitoring mechanism to monitor all places of detention, including immigration and juvenile detention, prisons and police watch-houses.

In February, foreign affairs minister Julie Bishop and attorney general George Brandis, in committing Australia to ratifying Opcat, said it would be “another significant human rights achievement for the Turnbull government”.

“It will improve the oversight of places of detention in Australia, and it reflects the government’s commitment to preventing torture and mistreatment.”

Howie said Australia must honour its commitment to finally ratify Opcat.

“The case for it is clear. We’ve seen from the horrific images at Don Dale just how much we need a youth justice system that helps rather than harms children. That immigration detention has led to fear, violence, suffering and death. Ratifying Opcat is a step towards rectifying the conditions in which some of this harm takes place.”

<https://www.theguardian.com/australia-news/2017/oct/16/report-on-australias-human-rights-record-to-be-scrutinised-by-un-committee>

## **17. Sixth Manus Island death signals a system in chaos as Australian exit looms**

Brisbane Times

By Michael Koziol

7 October 2017 - 11:15pm

The sixth asylum seeker to die on Manus Island under Australia's watch registered barely a ripple.

Rajeev Rajendran, a Tamil refugee who fled Sri Lanka, died in the early hours of Monday, apparently by suicide. Police in Papua New Guinea confirmed details of the death, but it went unremarked upon by the Australian government, which retains it is a matter for PNG.

The case is unpleasant and murky, and highlights several important points of dispute about the plight of refugees on Manus Island and what they face when Australia leaves the island at the end of this month.

Rajendran, who experienced mental illness, was charged with raping a minor earlier this year in the township of Lorengau. He was released on bail and awaited trial, but it was a charge likely to rule him out of consideration for resettlement in the US.

The rape charge was also at the centre of escalating unrest between townfolk and the asylum seekers on Manus Island. In part, it is what Dutton referred to in April when he said there was an "elevated mood" on the island and controversially suggested a riot at the processing centre was linked to community fears about the safety of a five-year-old boy.

"There was a ramping up of the tension on the ground. We have seen allegations and charges in relation to a number of sexual assaults," Dutton said.

From the refugees' point of view, the Rajendran case feeds into fears for their own safety in the Lorengau community. For months, PNG authorities have tried to coerce men out of the regional process centre – which is due to close by October 31 – and into the East Lorengau Refugee Transit Centre. Many refugees have refused to move, preferring the safety of the RPC, which is away from the township on a Navy base.

On Friday night, asylum seekers received another notice about the impending shutdown. Documents shown to Fairfax Media reveal another form of accommodation, called the West Lorengau Haus, has been made available for refugees. Those who move there will be housed in dorms and receive "a living allowance to cover food, clothing and some personal expenses".

According to Behrouz Boochani, an Iranian refugee and journalist on Manus, PNG authorities plan to accommodate 241 people at the Haus, as well as 232 people at the ELRTC and 148 rejected asylum seekers at a location called Hillside House. The transfers are to occur before October 27.

Boochani said the refugees were "determined to resist" the move to Lorengau "because it is not a safe place for them". "There will definitely be more conflict between refugees and local people if the government presses ahead with this plan," he said.

Rajendran's death also speaks volumes about the adequacy of health services on the island. According to PNG police, he first attempted suicide on a Friday night and was admitted to Lorengau Hospital. He was found hanging in the hospital on Monday while notionally under its care.

It's a danger that doctors on the island are aware of. "I've said to them, 'this is going to happen, more of this will happen'," one doctor, who works for contractor International Health and Medical Services, told a refugee this week. "They're not telling you what's happening, so people get a build-up of despair."

Labor has requested a briefing from Dutton about the circumstances leading up to Rajendran's death. Shadow immigration minister Shayne Neumann offered his condolences to the man's family and friends, and said it would be inappropriate to comment further.

The inadequacy of the PNG health system is what awaits the sick men on Manus once IHMS leaves on October 31. Dutton has said arrangements will be announced in due course, while the aforementioned doctor promised his patient "a full medical handover to whoever takes over".

But, he joked, "it's entirely possible that I'll just be wearing a different-coloured shirt and working for a different company".

<https://www.brisbanetimes.com.au/politics/federal/sixth-manus-island-death-signals-a-system-in-chaos-as-australian-exit-looms-20171007-gyw8na.html>

## **18. MEDIA RELEASE: Another tragic refugee suicide as Dutton's offshore policy claims another victim**

Monday October 2, 2017  
Refugee Action Coalition  
Ian Rintoul  
mobile 0417 275 713

A Tamil refugee was found hanging next to the Lorengau hospital kitchen in the early hours of this morning (Monday, 2 October). His death is the second suicide on Manus in less than two months.

The 32 year-old Tamil man had been sent to the hospital three days ago, after a self-harming incident at the East Lorengau Transit Accommodation centre.

Like, Hamed, and others on Manus, the refugee had been mentally distressed for some time. But there are no facilities on Lorengau to provide proper assistance mentally distressed people.

"He was sent to the hospital but there is no treatment and they neglected him," one refugee told the Refugee Action Coalition.

His suicide puts the mirage of the promise of US resettlement into stark relief.

"Slowly but surely, Dutton's policy is killing people on Manus Island. Four years of illegal detention on Manus is taking a terrible toll. The responsibility for this death lies with Peter Dutton and the policy of offshore detention," said Ian Rintoul, spokesperson for the Refugee Action Coalition.

"Dutton has been given so many warnings. This death is criminal neglect. The evacuation of Manus and Nauru is now a more urgent priority."

The death has increased the anxiety and distress among all the refugees and asylum seekers on Manus as they struggle with their own circumstances. There are two other extremely mentally distressed people who urgently need assistance.

For more information contact Ian Rintoul 0417 275 713

## 19. Sri Lankan Tamil refugee found dead on Manus Island

The man's body was found in the grounds of Lorengau hospital where he had been receiving treatment for mental illness

The Guardian

Ben Doherty

Monday 2 October 2017 11.33 AEDT

Another refugee has died in Australia's offshore detention regime, with a man found dead, apparently by suicide, on Manus Island.

The body of the man, whose name the Guardian has chosen not to publish at the request of his family, was found on the grounds of the Lorengau hospital, where he had been sent after a previous suicide attempt.

The man was a Sri Lankan Tamil and had been formally recognised as a refugee, and was legally owed protection. Staff on the island said he had been acutely mentally ill for months.

Fellow refugee on the island Abdul Aziz Adam said: "Three days ago he attempted to kill himself but his friends save[d] him ... they took him to the hospital. But unfortunately there's not enough medical care and this morning the nurse and doctors confirmed that he ... [was found dead] next to kitchen.

"It has really affected us all very badly. Everyone around me is crying, this is the worst moment."

Another refugee, Ezatullah Kakar, said on social media: "We lost one more brother today."

The death has been confirmed by Papua New Guinea police. A spokesman for the Department of Immigration and Border Protection said the department was aware of the death at Lorengau hospital, but directed further questions to PNG authorities.

At least six people have died in Australia's offshore detention regime on Manus Island alone, including several who were brought to Australia critically unwell and died in the country. At least three have died on Australia's other detention island of Nauru.

The last death was another suspected suicide, that of Iranian refugee Hamed Shamshiripour, whose body was found near a school in August.

Shamshiripour had also been suffering acute mental illness for more than a year, and his deteriorating condition had been consistently raised with senior IHMS and Australian Border Force officials, with pleas for intervention.

Ian Rintoul from the Refugee Action Coalition said authorities on Manus Island were unable to assist refugees who were physically or mentally unwell after four years in detention.

"This death is criminal neglect. The evacuation of Manus and Nauru is now a more urgent priority."

In June, the Australian government agreed to pay \$70m in compensation to refugees held on Manus Island for their illegal detention in dangerous and damaging conditions.

<https://www.theguardian.com/australia-news/2017/oct/02/sri-lankan-tamil-refugee-found-dead-on-manus-island>

## 20. Asylum seeker dies on Manus Island

Canberra Times

Monday 2 October 2017 - 2:32PM

Eryk Bagshaw

An asylum seeker has died on Manus Island, police have confirmed.

"We had a suicide of a refugee at the Lorengau hospital in the early hours of this morning," Manus Island Police Commander David Yapu told Fairfax Media.

An asylum seeker has died on Manus Island, police have confirmed.

"We had a suicide of a refugee at the Lorengau hospital in the early hours of this morning," Manus Island Police Commander David Yapu told Fairfax Media.

The man, a Sri Lankan Tamil, is the sixth asylum seeker to die since Australia's offshore immigration detention centre in Papua New Guinea was re-opened four years ago.

According to fellow asylum seekers his body was found outside, next to the Lorengau hospital kitchen. The death comes two months after the body of Iranian refugee Hamed Shamshirpour was found near a school on the island.

"We lost one more brother today," Ezatullah Kakar, a Pakistani asylum seeker wrote on Twitter.

Last week, 25 men became the first group of asylum seekers to travel to the US under a refugee transfer deal reluctantly honoured by President Donald Trump.

Tensions have been building on the island as the US decides many of the hundreds of men in the detention centre it will take as the centre prepares to close on October 31.

Authorities have been pushing asylum seekers into transition accommodation closer to the centre of town by turning off electricity and water at some of the compounds.

Last week, the detention centre cut off access to cigarettes at the canteen and offered a weekly allowance to those who moved to the transition centre.

Asylum seekers are reluctant to move into the transition centre closer to the island's town where there has been historic tension with locals.

The Refugee Action Coalition's Ian Rintoul said there were no facilities on Lorengau to provide proper assistance to mentally distressed people.

"The death has increased the anxiety and distress among all the refugees and asylum seekers on Manus as they struggle with their own circumstances," he said.

"There are two other extremely mentally distressed people who urgently need assistance."

On Sunday, asylum seekers reported on social media that a man who was suffering from psychological trauma had escaped from a car and had begun running naked through the town.

Commander Yapu said he arrived back from Port Moresby on Monday morning and Manus Island police were investigating both incidents.

The Department of Immigration and Border Protection responded on Monday by saying it was aware of the death, and directed further inquiries to the PNG authorities.

Greens immigration spokesman Nick McKim blamed Australia's asylum seeker policy for the loss of another life.

"This man had suffered for years in a system that Australia's Labor and Liberal parties deliberately designed and operated to cause mental harm," he said.

<http://www.canberratimes.com.au/federal-politics/political-news/asylum-seeker-dies-on-manus-island-20171001-gysh6v.html>

## **21. Asylum seeker dies on Manus Island, police confirm**

ABC News Online

By Papua New Guinea correspondent Eric Tlozek

Monday 2 October 2017

Police on Manus Island have confirmed an asylum seeker has died overnight.

A 32-year-old Sri Lankan Tamil man was found near the kitchen of the Lorengau Hospital after reports he was mentally unwell.

Friends of the man said it appeared he took his own life and Australian authorities have confirmed the death.

"The department is aware of the death at Lorengau Hospital," a spokesman for the Department of Immigration and Border Protection said.

The man was staying in a so-called "transit centre" near the main town on Manus Island.

Friends of the man said his body was found at 4:00am near a kitchen in the complex.

The latest death is the second apparent suicide in the transit centre in the last two months.

Iranian asylum-seeker Hamed Shamshirpour was found dead nearby in August.

Six detainees from Manus Island have died since 2013, when Australia began its policy of not resettling boat arrivals processed offshore.

This latest death comes as Australian and PNG authorities move ahead with plans to close the Manus Island detention centre by October 31.

The refugees inside have been told to move to alternative accommodation, mainly the transit centre, so the detention centre can be shut down.

On September 26, 25 men from Manus Island were the first offshore detainees to be flown to the United States for resettlement there, under a deal struck between Australian Prime Minister Malcolm Turnbull and US President Barack Obama.

Reverend John Daniel Jegasothy — who leads the Uniting Church's Tamil congregation in Sydney's west — said the uncertainty for those left behind was cruel.

He said the Federal Government had a duty of care and after such a long time they deserved to come back to Australia.

Dr Jegasothy said with the centre closing by the end of the month, people were feeling desperate.

<http://www.abc.net.au/news/2017-10-02/manus-island-asylum-seeker-dies-police-confirm/9007034>

## **22. 500 asylum seekers face deportation for missing protection deadline**

In May 7,000 people were given a 1 October deadline to apply for protection from Australia or be barred from ever doing so

The Guardian  
Ben Doherty  
Friday 29 September 2017 12.10 AEST

Up to 500 asylum seekers, including families with young children, have not made a formal application for protection, just a day out from a government deadline that could see them deported from the country.

In May, the immigration minister, Peter Dutton, gave nearly 7,000 asylum seekers living in the Australian community a deadline of 1 October to apply for protection or be barred from ever applying. He described them as “fake refugees” and said they were bleeding Australian taxpayers of millions of dollars in welfare payments each year.

Many of the asylum seekers had been living in Australia for several years, but had been barred from applying for protection by the minister until just months before the deadline was announced.

Several thousand were already on waiting lists with legal advocacy services to assist with their applications.

The minister's announcement sparked furious activity within refugee legal services, aided by “an army of lawyers” who offered pro-bono services, philanthropic donations and community support, Tanya Jackson-Vaughan from the Refugee Advice and Casework Service in Sydney, told the Guardian.

“We've gone from providing about 25 free legal sessions a week to about 125. That's because we have been working seven days a week, nights, and we had an outpouring of pro-bono support from some of the top-tier law firms in Sydney.

“We're doing this on the smell of any oily rag, we hope that we've managed to assist most people.”

With a day before the deadline, about 500 asylum seekers across the country have not lodged protection applications, most of those in Victoria and NSW.

Those who have not lodged, legal service providers say, are some of the most vulnerable asylum seekers, including people suffering acute mental health issues, those with a history of torture and trauma, and others who, because of language difficulties or other barriers, do not understand the legal process for formally applying for protection.

About half of those who have not applied are understood to be families with young children, including Rohingya families who fled Myanmar.

“People are expected to recall what's happened to them, and to provide a coherent, chronological protection claim, but many of those we've seen coming into our office the past month or two, these are some of the most vulnerable. We've had Rohingya families with little kids, people who have really suffered and have struggled to survive in the Australian community because of their vulnerabilities,” Jackson-Vaughan said.

“Our fear is that people with genuine claims, but who have a lack of awareness what this deadline means, won't be lodging an application, because they didn't realise that was required of them.”

The executive director of Refugee Legal, David Manne said the deadline was “arbitrary and unfair”.

“Thousands of people were left in legal limbo for years without being allowed to apply for protection, desperately wanting to but not being allowed to, and then sent an arbitrary deadline of 1 October or risk of being deported to danger without even having their claim heard.”

Manne said his organisation had massively scaled up its legal assistance, supported too by philanthropic donations, hundreds of volunteers and pro bono legal support. But cases were still coming.

“Many of the people we are talking about have fled from brutality, have been deeply traumatised and then suffered a second wave of suffering in limbo in Australia. One of the central reasons that some people are coming to us just before the deadline is that they are confused and frightened. And they are still coming. We will be helping anyone that needs it right up until midnight on 30 September.”

Both Refugee Legal and Refugee Advice and Casework Service say they will remain open, over public holidays and weekends, to assist last-minute applicants.

Any move by the government to deport an asylum seeker without fully assessing their claim for protection would almost certainly be met by legal challenge.

All of the asylum seekers subject to the 1 October deadline raised a prima facie protection claim when first interviewed upon arrival in Australia and so were “screened in” and allowed to live in the country.

An immigration department spokesperson said there was limited time for those who remained to apply either online or by mail for a Temporary Protection Visa or Safe Haven Enterprise Visa.

“Failure to lodge a TPV or SHEV application will be taken as an indication that an IMA (illegal maritime arrival) no longer intends to seek protection in Australia,” the department said.

“IMAs who do not apply and who do not make arrangements to leave Australia may be detained and removed from Australia.”

Since May, refugees lawyers and advocates have protested against the arbitrary and “unreasonably tight” deadline, but the government is concerned some of the cohort have lived in the community for several years without a deep analysis of their backgrounds.

The 7,000 asylum seekers who had not applied for protection when the deadline was announced are part of the so-called “legacy caseload” of about 30,000 asylum seekers who arrived by sea between late 2012 and early 2014.

Roughly 23,000 of that cohort had already applied for protection when the deadline was announced. Thousands are still waiting for their applications to be assessed, a process that could take years longer still.

<https://www.theguardian.com/australia-news/2017/sep/29/500-asylum-seekers-face-deportation-for-missing-protection-deadline>

## **23. First Manus Island-held refugees flown to US under resettlement deal**

Group of 25 men who had been detained by Australia depart Port Moresby on Tuesday morning, with group from Nauru expected to follow

The Guardian  
Calla Wahlquist  
Tuesday 26 September 2017 13.18 AEST

The first group of refugees to be resettled under the Australia-United States resettlement deal flew out of Port Moresby on Tuesday morning.

The group of 25 men from the Manus Island detention centre will be joined within days by a second group of refugees currently housed on Nauru.

Beverly Thacker, public affairs officer for the US embassy in Papua New Guinea, said a total of 54 refugees from Manus and Nauru had been approved for resettlement “at this time”.

“Other refugee cases are under review,” Thacker told Guardian Australia. “They all have different time frames and we will expect that others will be advanced in the coming months.”

The US agreed to take a number of refugees from Australia’s offshore detention facilities in a deal negotiated between the Australian prime minister, Malcolm Turnbull, and the former US president Barack Obama – and begrudgingly upheld by Donald Trump, who dubbed it “the worst deal ever”.

The original deal concerned the resettlement of up to 1,250 refugees from Manus and Nauru but the US is not obliged to take a certain number.

Thacker said the US would not comment on how many refugees might be approved. She also would not say where they would be placed but said they would "go through the standard settlement process".

The first group approved for resettlement were informed just under a week ago, after an extensive screening and interview process.

As of 20 September, there were 928 men at the Manus Island centre and 1,135 people on Nauru, including 169 children.

The Human Rights Law Centre's director of legal advocacy, Daniel Webb, said the first transfer flight was good news "for a handful of people" but left the bulk of the 2,000 people on Manus and Nauru behind.

"After four years of fear, violence and limbo, safety for a handful isn't good enough," Webb said. "It is our government's responsibility to make sure not a single person is left behind.

"Anyone who can't go to America must immediately be brought to safety in Australia."

The Greens immigration spokesman, Nick McKim, said refugees on Manus and Nauru "remain Australia's responsibility and must be brought to Australia so they can be looked after properly".

"We wish the people heading to the United States the very best," McKim said. "We hope they can start to rebuild their lives after being treated so appallingly at Australia's hands."

The Manus Island centre was scheduled to close on 31 October but the new PNG government is reportedly refusing to allow Australia to close the centre without a clear plan for the remaining detainees.

The planned closure was prompted by the PNG supreme court ruling that the men inside the centre had been illegally detained.

When contacted for comment, the Australian immigration department referred to a previous statement from the immigration minister, Peter Dutton, acknowledging the refugees' expected departure.

<https://www.theguardian.com/world/2017/sep/26/first-manus-island-held-refugees-flown-to-us-under-resettlement-deal>

## **24. First asylum seekers taken from Manus offshore detention under US refugee swap deal**

Canberra Times  
September 24 2017 - 8:46PM  
Reuters, AAP

Refugees have left one of Australia's offshore detention centres on Sunday for the United States as part of a swap brokered by former US president Barack Obama last year.

Refugee Action Coalition's Ian Rintoul said he had spoken to some of the group by phone and that 22 men were in Port Moresby on Sunday night.

Mr Rintoul said the group - including Sudanese, Afghan and Rohingya asylum seekers - had been told they would be flown to the United States via the Philippines on Wednesday.

"They're happy they're going, and they never want to hear about Australia again," he said, speaking from Sydney.

Mr Rintoul said it was a bittersweet moment for the refugees.

"They're unhappy that they have lost four years of their life," he said on Sunday.

"But [they] are very happy at the possibilities of having a safe life and rebuilding."

Kurdish-Iranian journalist Behrouz Boochani, who has been held at the Manus Island detention centre in Papua New Guinea, said in a Facebook post that "about 25 men" had left the centre about 8am local time.

Australia's Department of Immigration and Border Control did not respond to requests for comment on the move on Sunday.

The move comes days after Prime Minister Malcolm Turnbull gave the first official timetable for when the 1250 people in the centres on Manus Island and Nauru would be resettled in the US.

More than 1600 refugees have expressed interest in US resettlement.

Mr Turnbull said Australia would begin resettling several dozen Central American refugees within weeks under the deal that US President Donald Trump described as "dumb" but has nevertheless said Washington will honour.

"There will be about 25 from both Manus and Nauru [who] will be going to the United States and I just want to thank again President Trump for continuing with that arrangement," Mr Turnbull said in a video statement.

While Mr Trump has said he would honour the swap agreement, concerns remain about how many asylum seekers will be resettled from the Australian-run centres.

<http://www.canberratimes.com.au/federal-politics/political-news/first-asylum-seekers-taken-from-manus-offshore-detention-under-us-refugee-swap-deal-20170924-gynuuj.html>

## **25. 'Armani refugees': Peter Dutton accused of undermining US deal with 'extraordinarily irresponsible' critique**

The Age  
September 28 2017 - 4:51PM  
Michael Koziol

Immigration Minister Peter Dutton has been accused of undermining Australia's sensitive resettlement deal with the US by suggesting the first refugees to leave for America were "economic refugees" who carried luxury fashion items from Armani.

Photographs published by News Corp of the first refugees to leave Manus Island for the US showed them at Port Moresby airport wheeling luggage and dressed in casual clothes with sunglasses.

Mr Dutton was quizzed about the issue on Thursday by 2GB shock jock Ray Hadley, who opined that the images "looked like a fashion show on a catwalk somewhere in Paris or New York".

The minister said the photographs showed life on Manus Island was not the "terrible existence" that refugee advocates claimed, suggesting instead they could afford luxury Armani products.

"There are a lot of people that haven't come out of war-ravaged areas, they're economic refugees - they got on a boat, paid a people smuggler a lot of money," Mr Dutton said.

"Somebody once said to me that the world's biggest collection of Armani jeans and handbags [was] up on Nauru waiting for people to collect when they depart.

"The reality is that these people have at the generosity of the Australian taxpayer received an enormous amount of support for a long period of time."

Those remarks drew a fierce rebuke from Labor, the Greens and refugee advocates, who said Mr Dutton had got it wrong and also risked undermining the very deal his government had fought hard to salvage under Donald Trump.

Only those asylum seekers who were already found to be refugees owed protection – not economic migrants – were eligible for resettlement in the US.

Graham Thom, refugee co-ordinator at Amnesty International Australia who travelled to Nauru in 2012, said Mr Dutton's comments were "extraordinarily irresponsible" given President Trump's well-publicised distaste for the deal.

"It's not just how Trump will interpret these comments, it's the US officials who are [processing claims]," he said. "Why would they take this group if the Australian Minister for Immigration is making these comments?"

On Thursday it was revealed President Trump would cut the US's annual refugee intake to 45,000 – the lowest in more than a decade – meaning authorities would have to further prioritise who they accept under their humanitarian program.

"The timing could not be worse," Mr Thom said. "It's insulting to the governments of Nauru, Papua New Guinea and the US to claim that these people are anything other than refugees."

Greens immigration spokesman Nick McKim accused Mr Dutton of "slurring and demeaning" refugees who were finally being offered the protection they had long been owed.

"Peter Dutton knows full well that every single person being resettled in the United States is a genuine refugee," Senator McKim said.

"His comments are not only disgraceful and wrong, they risk undermining the fragile deal struck with the United States."

Refugee lawyer David Manne warned the assertions "fed into long-standing myths about refugees" and were "potentially damaging" by casting doubt on their authenticity.

"It's hard to know why peddling of such myths would be embarked upon in these circumstances," he said.

Shadow immigration minister Shayne Neumann said Mr Dutton should stop "worrying about fashion" and instead find additional third country resettlement options for refugees who would not go to the US.

<http://www.theage.com.au/federal-politics/political-news/armani-refugees-peter-dutton-accused-of-undermining-us-deal-with-extraordinarily-irresponsible-critique-20170928-gyqidd.html>

## 26. Manus Island refugees put 'that hell' behind them for fresh start in the United States

ABC News Online

By North America correspondent Stephanie March in Louisville, Kentucky

Monday October 2, 2017

Standing in an almost empty bedroom, Abdul Ghafar Ghulami unzips a back pack.

He pulls out three pairs of pants, a few T-shirts, several document folders and an Oxford English dictionary.

He puts them in a pile on the floor.

"That is all I brought from Manus Island," he says, turning the back pack upside down and shaking it to make his point.

After spending four years and 15 days on Manus Island, Abdul arrived in Louisville, Kentucky last week as one of the first 54 refugees from Papua New Guinea and Nauru to be resettled in America under a deal struck by the US and Australian governments.

His meagre pile of possessions is one of defiance — he is upset at Immigration Minister Peter Dutton's suggestion that the refugees who left Manus and Nauru for the US had 'Armani jeans' waiting for them to wear once they got out.

"Why is the Minister telling the lies? This is the proof, this is my life," he says, pointing to the pile.

He looks down and picks up a plastic ziplock bag. Inside are two ID cards from his time in detention and a palm-sized piece of red fabric.

"From home I just have this," he says.

"This is nothing, just a piece of fabric but because my mother give it I keep it till now."

It's the only thing he has left from the home in Afghanistan he fled more than four years ago.

### ***'Welcome to the USA'***

The suburban Louisville apartment Abdul is sharing with fellow Manus detainee, Jawad Hussain, is sparse and run down.

On one coffee table sits a card. "Welcome to the USA" it reads, with glitter covered red white and blue stars glued to the front.

Jawad says it is from the local school children — it came in a package they got from the resettlement charity that is helping them settle in.

Jawad is a Shia Muslim, a persecuted group in the north-west tribal areas of Pakistan where he fled in 2013. Abdul is Hazara, an ethnic group in Afghanistan often targeted by the Taliban.

They were both determined to be genuine refugees in 2014, three years before they left Manus Island.

They both look exhausted.

To get to Louisville they had to fly from PNG, via Manilla, LA, and Chicago.

"We don't have our relatives or friends, so it is hard to in the first stage to resettle in a different country — and US of course is different — but we are happy, we are happy to be here," Jawad insists.

Abdul says he only found out days before departing Manus Island that he had been accepted into the US.

"I felt [at] that time very good and impressive," he says.

"Until I get to the airplane, I didn't believe that."

After being promised resettlement in countries from Malaysia to Cambodia only to be left to languish on Manus Island, it was only once he well and truly left PNG that he told his friends and family he was free.

"When I fled and left Manus Island, I called them and text them that eventually I got out from that hell," he says.

Both men repeatedly refer to Manus Island as "that hell".

Five men died while they were in detention, and they say trauma of their time in PNG lingers.

"It is still my mind and everything is there," Abdul says.

"Still I have nightmares, and I feel I am there."

They are trying to remain optimistic they can move forward.

"In US is the country of opportunities," Jawad says smiling.

"US is country where you can get a good job, or get a good education so it just depends on person," he says.

Neither Jawad nor Abdul knows much about their new city. Jawad lists off the things he knows Kentucky is famous for; KFC, whisky and horseracing.

### ***'Prison is better' than Manus Island***

Both men are adamant they lost interest in settling in Australia long ago, as their time in Manus Island dragged on.

"Even prison is better. Why? Because a criminal knows how long they have to stay there, but we didn't know that," he says.

Authorities say they plan to shut the Manus Island detention centre by the end of October.

"It is not one chapter that you can close then it is a history," Jawad says.

"Australia make a history of cruelty ... and the people will remember this."

So far only 54 refugees from PNG and Nauru have been settled in the US.

Abdul says he is still in contact with many of his friends in Manus Island, and they say conditions there are getting worse.

"I am very happy right now, but my happiness is not complete until all of my friends get out from there and just feel free and resettle wherever they want and I think that will be my complete happiness day," Abdul says.

<http://www.abc.net.au/news/2017-10-02/manus-island-refugees-in-the-united-states/9006460>

## **27. Peter Dutton launches extraordinary attack on 'economic refugees' sent to US**

Immigration minister verbally abuses 52 refugees who left for resettlement in US and contradicts evidence from his own department

The Guardian

Ben Doherty

Thursday 28 September 2017 13.25 AEST

Peter Dutton has verbally abused the first group of refugees to leave Australia's offshore detention centres for resettlement in the United States, labelling them "economic refugees" – a term that does not exist in domestic or international law.

Fifty-two refugees this week left offshore detention on Manus Island and Nauru for resettlement in the US.

Sydney radio host Ray Hadley put to the immigration minister during a regular interview on Thursday that a photograph of the group published by News Corp this week looked like a fashion show on a catwalk in Paris or New York.

“They’re economic refugees, they got on a boat, paid a people smuggler a lot of money, and somebody once said to me that we’ve got the world’s biggest collection of Armani jeans and handbags up on Nauru waiting for people to collect it when they depart,” Dutton told 2GB radio.

Dutton claimed many of those who ended up in the island camps had not come from war-ravaged areas but were instead seeking economic advantage. They had received “an enormous amount of support” from Australian taxpayers for a long time.

Dutton’s comments contradict statistics from his own department.

Some 1,780 of the 2,000 people currently held offshore have been found to be refugees under the 1951 refugees convention, to which Australia is a party. Those refugees have been found to have a “well-founded fear of persecution” in their homeland. They cannot be returned there and are legally owed protection.

However, Dutton said conditions in offshore detention – which were ruled illegal by the Papua New Guinea supreme court – were not as bad as had been portrayed.

“We have been taken for a ride, I believe, by a lot of the advocates and people within Labor and the Greens who want you to believe this is a terrible existence,” Dutton said.

“These photos demonstrate otherwise. People have seen other photos in recent weeks of those up on Manus out enjoying themselves outside this centre, by the beach and all the rest of it.”

Dutton said he had long predicted once people were off Manus Island and Nauru “they’ll start to tell a very different story about how it wasn’t that bad”.

“There is a very different scenario up on Nauru and Manus than people want you to believe,” he said.

The four years of Australia’s second iteration of offshore detention – which has cost nearly \$10bn – have been plagued by consistent revelations of physical violence including murder, rape and sexual abuse of women and children, allegations of torture by guards, medical neglect leading to death, and catastrophic rates of mental health damage, self-harm and suicide attempts.

More than half the countries of the UN have criticised Australia’s offshore regime as an abuse of human rights.

United Nations bodies have consistently condemned Australia’s policies. On separate occasions, the UNHCR has described offshore detention as “immensely harmful”, “contrary ... to common decency” and “dire and untenable”. The special rapporteur on torture said Australia’s regime was “cruel, inhuman and degrading punishment”.

And the Australian Senate said the government had “failed” to provide a safe environment for refugees and asylum seekers. In June, the Australian government agreed to pay \$70m in compensation for illegally detaining people on Manus Island and holding them in dangerous and damaging conditions.

In response to Dutton’s comments, Labor’s immigration spokesman, Shayne Neumann, said to him via Twitter: “Instead of worrying about fashion, you should do your job and find 3rd country resettlement options for all eligible refugees.”

Refugees held on Nauru and Manus Island arrived in Australia as long ago as 2012 and were transferred to offshore detention under a strict government policy to block anyone who arrived by boat from entering the country.

They were recently cleared by US authorities for resettlement under a deal struck between the former Obama administration and the Turnbull government.

Up to 1,250 refugees are expected to be resettled in the US, but the US refugee deal is not expected to clear the Australian-run camps. Those held there remain Australia’s legal responsibility.

<https://www.theguardian.com/australia-news/2017/sep/28/peter-dutton-lets-fly-at-armani-clad-economic-refugees-sent-to-us>

## **28. Julie Bishop contradicts Dutton over 'economic refugees'**

Minister also says she believes Chinese involvement in sanctions has changed North Korea’s thinking

The Guardian

Paul Karp

Sunday 1 October 2017 10.55 AEDT

Australia's foreign affairs minister, Julie Bishop, has contradicted claims from Peter Dutton that refugees bound for the US under a resettlement deal are "economic refugees".

On the ABC's Insiders program on Sunday, Bishop said the people leaving Australia's offshore detention centres for resettlement in the US were genuine refugees, in contradiction of the immigration minister's tirade on Thursday in which he claimed they were not fleeing war.

"The US agreed to take a number of refugees and that means that they have been assessed by the UN high commissioner for refugees and found to be genuine refugees," Bishop said. "That group is then assessed by the United States and they have very stringent vetting processes, as we know."

Dutton had claimed many of those people who Australia had sent to offshore detention on Manus Island and Nauru had not come from war-ravaged areas but were instead seeking economic advantage.

Amnesty International labelled the comments extremely irresponsible, demonstrating a lack of understanding of the refugee convention and imperilling the resettlement of refugees in the US.

Despite the fact Dutton's comments were directed at the first group of 54 people to go the US, Bishop said she believed Dutton was "referring to those who have been found not to be owed protection", including a "significant number from Iran".

"They should go home," she said.

Asked if the comments had damaged the US deal, Bishop said that Australia was focused on helping the US vet "as many people as we hope that they will" for resettlement and continuing to look for other resettlement options.

While stopping short of describing the situation in Rakhine state in Myanmar as ethnic cleansing, Bishop said the Australian government was "deeply disturbed by what's going on".

Bishop said that 500,000 Rohingya had been displaced from Rakhine state and were seeking sanctuary in Bangladesh.

"I made it clear to the Myanmar national security adviser when I saw him at the United Nations that this security operation that is going on in Rakhine state between the Myanmar army and a Rohingya army must stop," she said. "Humanitarian support must be allowed in and that the Rohingya must be allowed to return to Rakhine state."

Despite the fact US ambassador to the United Nations, Nikki Haley, has said the Burmese government appears to be engaged in a "brutal sustained campaign" of ethnic-cleansing, Australia has continued to promise thousands of dollars to Rohingya refugees in Australian-run detention centres who agree to return to Myanmar.

The UN secretary general, António Guterres, and Malaysia's top counter-terrorism official have warned that the humanitarian crisis is a breeding ground for terrorist radicalisation.

Asked about the threat of radicalisation, Bishop said that Australia was "deeply concerned that the persecution of a significant group of Muslim Rohingyas will be used by Isis and other terrorist groups as part of their narrative to take up arms and to fight against the west".

Bishop said that Australia supported an independent UN investigation and noted Aung San Suu Kyi had confirmed UN representatives and international diplomats, including Australia's ambassador, would be invited to visit Rakhine state on Monday.

Bishop also indicated that the Australian government believed the strong involvement of China in backing new sanctions on North Korea seems to have changed the calculations for the rogue regime.

FULL STORY AT <https://www.theguardian.com/australia-news/2017/oct/01/julie-bishop-contradicts-dutton-over-economic-refugees>

## **29. Duncan Fine: Lay off the zingers, Peter Dutton, and take your job a bit more seriously**

The Age  
October 5 2017 - 11:45PM  
Duncan Fine

My vote for the world's toughest job goes to the person who has to write the so-called jokes for Immigration Minister Peter Dutton. Because every alleged "zinger" leaves most people aghast and embarrassed.

Earlier this year, Dutton attacked Alan Joyce from Qantas for supporting same-sex marriage with the withering put-down that he should stick to his knitting. Not exactly Oscar Wilde.

In 2015, after many Pacific island leaders had flagged climate change and rising sea levels as vital issues, Dutton casually joked with Tony Abbott that, "Time doesn't mean anything when you're about to have water lapping at your door." Crickets.

Last week Dutton jumped on the Macklemore controversy at the NRL Grand Final. One rapper performing one song was evidence of political correctness gone mad. He thundered, "My kids love footy ... I don't want the gay marriage message jammed down their throat at the football."

Now he has seen one photo of some refugees leaving the hell that is the detention centre on Manus Island to be settled in the US and noted the images "looked like a fashion show on a catwalk somewhere in Paris or New York".

He then invoked the name of celebrity designer Giorgio Armani and so some of the poorest, most vulnerable people on the planet were to him, "Armani refugees".

That high pitch and slightly annoying sound you can faintly hear now is Dutton's dog whistle telling you these people must be frauds. They are "economic refugees", too well-off to deserve humanitarian aid.

You might think the same about a refugee with a smartphone. Which is perhaps why last week, Dutton quietly introduced legislation banning mobile phones and other items that he determines to pose a "risk" from all people in detention centres on mainland Australia.

But a smartphone is crucial for a refugee and also thinking of an asylum seeker using one and its social media apps to stay in touch with a family half a world away demonstrates exactly what Dutton doesn't want you to think – that perhaps these people might not be so different from me.

Asylum seekers are not criminals. Mobile phones are a lifeline to the outside world that enables them to maintain their sanity and communicate with their families, their loved ones, the community and their legal representatives.

Sadly, this latest move fits into a long pattern of Dutton and Malcolm Turnbull cynically throwing red meat to their rabid base supporters by seeking to criminalise and demonise asylum seekers.

Dutton's Border Force had planned to confiscate all detainee phones and SIM cards in February this year but were prevented by a temporary injunction obtained by my firm, the National Justice Project, on behalf of all people with phones in detention.

The case in the Federal Court is ongoing. So Dutton's new proposed laws are really an attempt to sneak his way around the court. In this regard it is a type of contempt of the court – itself a possible crime.

Dutton has a well-paid job that taxpayer dollars pay for: to represent the people of his electorate and to manage his portfolio, a job that includes fulfilling Australia's obligations to refugees. Maybe instead of attacking people for speaking their mind, and trying to punish refugees, he's the one who should just stick to his knitting.

---->>>> *Duncan Fine is a lawyer and commentator.*

<http://www.theage.com.au/comment/lay-off-the-zingers-peter-dutton-and-take-your-job-a-bit-more-seriously-20171004-gyuan1.html>

## **30. Peter Dutton's crackdown on 'fake refugees' prompts nearly 7500 asylum claims**

Canberra Times  
October 12 2017  
Michael Koziol

Immigration Minister Peter Dutton's crackdown on "fake refugees" prompted almost 7500 asylum seekers to lodge their claims for protection, leaving just 71 who now face deportation.

In May, Mr Dutton announced an October 1 deadline for about 7500 people currently in Australia, who arrived on boats before 2013, to make a claim for protection or leave the country.

He dubbed them "fake refugees" who had refused to answer questions or formally submit their claims, accusing them of gaming the system and taking advantage of Australia's generosity.

The crackdown met with an outcry of protest from refugee advocates, who blamed complex paperwork and lengthy queues for legal assistance for the delay in lodging claims.

Mr Dutton on Thursday revealed the deadline had prompted all but 71 of the so-called "legacy caseload" to finally lodge their claims, which would now be processed and evaluated.

"We've got that number down remarkably to 71," he told 2GB radio. "Labor said it couldn't be done, all the civil libertarians went crazy because we were forcing people to provide information.

"This means that we can get their applications processed. If they're found not to be refugees we can start [the] deportation of people as quickly as possible."

Mr Dutton said he had instructed his Department of Immigration and Border Protection to dedicate extra staff to assessing the 7500 claims.

The 71 people who failed to lodge their bids for protection would now have their government benefits cut off and be deported, he said.

The group of 7500 asylum seekers belong to a cohort of about 50,000 people who arrived by boat during the Rudd-Gillard-Rudd Labor governments before Labor reintroduced mandatory detention offshore in Nauru or Papua New Guinea.

According to advocates, about 70 per cent of those whose claims were submitted and processed were found to be refugees owed protection by Australia.

Kon Karapanagiotidis, chief executive of the Asylum Seeker Resource Centre, said the October 1 deadline had created "a climate of absolute terror, panic, distress and fear" among refugees needing to lodge claims.

Lawyers scrambled and worked 80 to 90 hour weeks to accommodate the deadline, Mr Karapanagiotidis said, but now feared many applications had been rushed and would be rejected.

"We're concerned that this could potentially jeopardise the cases of thousands of people who, with proper time, would have actually been found to be refugees," he said.

"This is not a good news story. It almost broke all of us."

<http://www.canberratimes.com.au/federal-politics/political-news/peter-duttons-crackdown-on-fake-refugees-slashes-asylum-seeker-caseload-from-7500-to-71-20171011-gyz965.html>

## **31. George Brandis slaps down Peter Dutton over 'un-Australian' lawyers attack**

Canberra Times  
October 9 2017 - 2:49PM  
James Massola

Australia's first law officer has delivered a sharp rebuke to Immigration Minister Peter Dutton, and reminded government ministers of the need to respect the rule of law and authority of the courts.

In an under-the-radar speech to the International Bar Association in Sydney on Sunday night, Attorney-General George Brandis delivered a full-throated defence of the rule of law and the legal profession.

While he did not name Mr Dutton, Senator Brandis' comments have been interpreted as a repudiation of his cabinet colleague, who in August agreed with 2GB shock jock Alan Jones that lawyers representing asylum seekers were "un-Australian", and expressed frustration with lawyers acting on behalf of people in detention.

In his speech, Senator Brandis pointedly declared that "we, as lawyers, must always be alert to ensure that due process is always observed, that the right of access to the courts is never denied [and that] that the role of lawyers in representing their clients is always respected".

Lawyers had a duty to ensure that "judicial power is not subordinated to executive discretion, and that ministers and officials always respect the rule of law and the authority of the courts as the ultimate arbiters of the rights of citizens".

"Your role, as defenders of the rule of law, is never more important than at a time when there are, understandably, demands for greater state power in service of the protection of the security of our nations and the safety of our peoples," Senator Brandis said.

In contrast to Mr Dutton's criticism of lawyers acting for asylum seekers, the Attorney-General heaped praise on legal professionals who defended the powerless and vulnerable.

"Upholding the rule of law may involve lawyers in controversy. Often, it may mean standing up to the powerful, or defending the vulnerable, the marginalised or the despised. Lawyers who do so serve the finest traditions of our profession," he said.

"In protecting our people from terrorism, for instance, we must be careful to ensure that our legislative and policing response is at all times consistent with our values and obedient to the rule of law, even if, on occasions, that may constrain what our law enforcement authorities can do."

Senator Brandis is one of the leading moderates in the Turnbull government and Mr Dutton is a leading conservative.

When the recent creation of a new UK-style Home Affairs department, Senator Brandis lost responsibility for spy agency ASIO to Mr Dutton, but retained the power to sign off on warrants for the intelligence agency.

At the same conference, High Court Chief Justice Susan Kiefel delivered a speech defending the independence of legal professionals.

Justice Kiefel said that lawyers were "sometimes required to act for clients who are in dispute with, or challenge, the government or are unpopular with the media or the public".

"In order for a lawyer to be free to advocate fearlessly for a client's interests it is necessary that the lawyer be free of pressure from the state or its agencies," she said.

Senator Brandis also canvassed the "ominous challenges" facing the global order and threats posed by Islamist extremism and terrorism and a "willingness by some nations to defy the international rules-based order upon which post-war stability has depended".

<http://www.canberratimes.com.au/federal-politics/political-news/george-brandis-slaps-down-peter-dutton-over-unaustralian-lawyers-attack-20171008-gywvcv.html>