

<b>Immigration</b>	Page	<b>United Nations</b>	Page
Deal with Cambodia	1	Criticism of tow-back policy	8
In 'principle' agreement	2	Resettlement deals	9
Cambodia willing but not able	2	Nauru breaching international law	10
Cambodians don't want refugees	3		
No welcome for asylum seekers	3	<b>Human Rights</b>	
Australia & PNG joint forum	4	Children in detention	10
Port Moresby Governor's letter	5		
Navy captain stood aside	5	<b>Foreign Affairs</b>	
Sri Lanka thanks Australia	6	ABC wins in Chinese deal	11
Orange lifeboats	6	Australia and EU agreement	12
Dengue fever in Nauru	7	Developments in South China Sea	12
Migrants fear racism	7	Aid for Syrian children	13
Justice for Refugees	8		
Exploited workers	8	<b>A.P.B. Education</b>	13

## **Department of Immigration and Border Protection**

### **Deal with Cambodia a step closer**

Immigration Minister Scott Morrison said the government was encouraging countries willing to offer resettlement places to create "permanent solutions" for people seeking asylum in Australia. "It's not about whether they are poor, it's about whether they can be safe," he said. "That's the issue." Speculation has been growing about whether Australia will strike a deal to resettle refugees in Cambodia, one of Australia's poorest regional neighbours, after Immigration Minister Scott Morrison and Foreign Minister Julie Bishop independently made trips to the country.

"When you have a country that's willing to be engaged in it, an experience country that is willing to sponsor it and a third country that is a signatory country like Nauru that is also party to all of this... That would seem to be a positive thing and something that should be encouraged," the Minister said. "I would have thought the point for UNHCR and the region is to expand the club of countries that are available". "If we're going to limit the protection opportunities only to First World economies then we are effectively committing large numbers of people to life in a fairly uncertain place." "With less than 1 percent [of asylum seekers] having a place for resettlement, ultimately it's about providing a temporary safe haven."

<http://www.unhcr.org/cgi-bin/texis/vtx/refdaily?pass=463ef21123&id=5358a4a78>

**Cambodia agrees 'in principle' to resettle asylum seekers**

Cambodia's Secretary of State at the Foreign Affairs Ministry said the decision for the South East Asian country to resettle asylum seekers had been made. "In principle, the government has agreed... and we will do the work according to international standards," said Ouch Borith, Secretary of State at the Foreign Affairs Ministry. Human rights groups have condemned the government for seeking an agreement to send asylum seekers to Cambodia, one of South-East Asia's poorest countries, which has one of the worst human rights records in Asia. The country is dependent on hundreds of millions of dollars of foreign aid, with Australia sending \$US244 million to Phnom Penh over the past three years.

United Nations refugee agency has warned resettlement countries are obliged to deliver education and labour rights and "not just safety". Volker Turk, the UNHCR's director of international protection, said "it's about fundamental human rights".

Immigration Minister Morrison has not publicly revealed details of the agreement.

Phil Robertson, deputy director of Human Rights Watch's Asia decision, said Cambodia's capacity to take care of asylum seekers or refugees is low and Australia is shirking its international obligations. "Uighurs from China or human rights activists from Vietnam can explain about Cambodia's shoddy record towards refugees," he said. "This proposal is absolutely shameful and deserves public condemnation across the region, from Phnom Penh to Canberra, and by the UNHCR".

Human rights lawyer David Manne said Cambodia did not have the capacity to ensure that the basic needs of refugees were met now or into the future. He said the Australian government would be sending refugees to a country with one of the worst human rights records in the region and a country which was presently engulfed by a human rights crisis of brutal repression.

The UN Deputy High Commissioner for Human Rights Flavia Pansieri, who is visiting Cambodia said the United Nations would provide support. "What we think is important is to note that Cambodia is well aware of its international commitment to human rights standards," Ms Pansieri said. "To the extent there is any need for cooperation, we stand ready to provide support to ensure that standards are met."

The announcement comes as the 1177 asylum seekers in Nauru were told they would be given temporary five-year visa on the island and would be given work rights for the same amount of time, but would not be permanently resettled there. The Interior Minister of Cambodia, Sar Kheng told *The Phnom Penh Post* that nothing had been decided, and negotiations were still on the table. "As of now we have not decided yet," Kheng Told reporters in Phnom Penh, Cambodia. "It is being [considered], but no decision has been made at all."

<http://www.smh.com.au/federal-politics/political-news/cambodia-agrees-in-principle-to-resettle-asylum-seekers-bound-for-australia-20140430-zr1jz.html>

### **Cambodia is willing, but history shows it's not able**

Denise Coghlan, director of the Jesuit Refugee Service in Cambodia, says local authorities will have to implement changes to allow any refugees arriving under the Australian agreement to have similar rights to Cambodians, such as being allowed to work and have access to suitable services for their children. "On the positive side, I think the fact that Cambodia is willing to offer refugees hospitality is much better than the Australians who put them in rubber dinghies and send them back," she says.

While details of the Australian in-principle agreement have not been made public, rights groups, opposition MPs and non-government organisations in Phnom Penh say Cambodia lacks the resources to provide necessary services required by refugees who will be resettled in the country. “Phnom Penh has not even taken steps to deal with the very serious problem of discrimination and deprivation of rights of ethnic Vietnamese, some of whom have lived in Cambodia for generations yet are still stateless without access to formal education and other basic services,” says Phil Robertson, deputy director of Human Rights Watch’s Asia division.

“Why isn’t Cambodia working on that problem first rather than casting about to do a so-called humanitarian favour for Australia?” he asks.

[http://newsstore.fairfax.com.au/apps/viewDocument.ac?jsessionid=F42CD596C755E8EA22D43030984C8996?sy=nstore&pb=all\\_ffx&dt=selectRange&dr=1month&so=relevance&sf=text&sf=headline&rc=10&rm=200&sp=brs&cls=183&clsPage=1&docID=SMH140503R41L35IM69N](http://newsstore.fairfax.com.au/apps/viewDocument.ac?jsessionid=F42CD596C755E8EA22D43030984C8996?sy=nstore&pb=all_ffx&dt=selectRange&dr=1month&so=relevance&sf=text&sf=headline&rc=10&rm=200&sp=brs&cls=183&clsPage=1&docID=SMH140503R41L35IM69N)

### **Cambodians don’t want Australia’s asylum seekers**

While details of the Australian in principle agreement have not been made public, rights groups, opposition MPs and non-government organisations in Phnom Penh say Cambodia lacks the resources to provide necessary services required by refugees who will be resettled in the country.

Refugee advocates say most of the 1000 refugees the Australian government wants to send to Cambodia will refuse to settle in one of the world’s poorest nations, raising doubts about the effectiveness of the agreement. “People came to get protection from Australia, why would they go to Cambodia?” asks an asylum seeker from the tiny Pacific island of Nauru, where those slated for Cambodia are in detention. “It’s not a developed country. It is poor. It cannot look after refugees,” says the man, who is receiving medical treatment at Sydney’s Villawood detention centre.

<http://www.smh.com.au/federal-politics/cambodians-dont-want-australias-asylum-seekers-20140502-zr3cd.html>

### **No welcome jingle for asylum seekers**

The federal government is spending nearly \$20 million to push its hard-line message of deterrence to asylum seekers, telling people from some of the poorest and most desperate countries not to come to Australia, new documents show. The reverse tourism offensive with its underlying Don’t Call Australia Home subtext contrasts with the \$180 million spent by the government’s previous campaign to attract overseas visitors to Australia.

Over four years, the Coalition will spend \$19.9 million on online messages and “community consultations” around the world to discourage would-be asylum seekers from making the journey to Australia. The message reach has expanded to include Malaysia, Thailand, Iraq, Bangladesh, India, Lebanon, Burma, Somalia and Sudan. Senate estimates documents show the expansion adds “source countries” including Afghanistan, Pakistan, Indonesia, Malaysia, Sri Lanka, Vietnam and Thailand, countries with traditionally the most people wanting to seek asylum in Australia.

[http://newsstore.fairfax.com.au/apps/viewDocument.ac?sy=nstore&pb=all\\_ffx&dt=selectRange&dr=1month&so=relevance&sf=text&sf=headline&rc=10&rm=200&sp=brs&cls=183&clsPage=1&docID=SMH140503AC4D27LFSVK](http://newsstore.fairfax.com.au/apps/viewDocument.ac?sy=nstore&pb=all_ffx&dt=selectRange&dr=1month&so=relevance&sf=text&sf=headline&rc=10&rm=200&sp=brs&cls=183&clsPage=1&docID=SMH140503AC4D27LFSVK)

## Australia and Papua New Guinea inaugural joint forum

Joint media release with the Hon Scott Morrison, Minister for Immigration and Border Protection and the Hon Rimbink Pato, Papua New Guinean Minister for Foreign Affairs and Immigration.

The outcomes of the meeting were as follows:

- Minister welcomed the decision by the PNG Cabinet that allows the first tranche of initial assessments to be delivered to transferees within a month.
- Two thirds of transferees have had initial interviews at the Regional Processing Centre.
- The development of a review process for those initially assessed not to be refugees was underway and due for completion in April.
- A refugee visa has been approved for those determined to be refugees. The visa will provide for work rights and freedom of movement.
- Australia reaffirmed its commitment under the RRA to meet costs relating to the settlement of refugees in ONG and would await the recommendations of the Settlement Expert Panel. It was anticipated the first refugees could be resettled in June 2014.
- All persons transferred to PNG under the RRA who are found to be refugees will be resettled in PNG.
- Those persons found not to be refugees will be held in detention in PNG pending removal to their home country or another country where they have right of entry.
- Improvements to infrastructure facilities at the Manus Regional Processing Centres.
- The transition of garrison and support services to Transfield Services Ltd.
- Ministers affirmed the urgency and need to complete the comprehensive investigations underway into the events that and Ministers affirmed the urgency to complete investigation.
  - Australian government committed to continue to provide all assistance necessary, including providing legal assistance for witnesses to alleged criminal acts
  - They agreed to facilitate interviews of persons of interest who are no longer in PNG.
  - They agreed that all relevant information from the independent administrative reviews would be handed over to the police investigation to enable swift prosecutions.
  - The outcomes of the investigations will inform a coronial inquiry in PNG.
  - Both governments will expedite the implementation of recommendations arising from the investigations.
- Ministers noted positive progress to deliver projects in Manus Province with the additional \$26m in Australian development assistance, including:
  - Improvements to infrastructure and equipment at Lorengau Hospital
  - Infrastructure school kits for Manus schools
  - Road and bridge maintenance rehabilitations works
  - Renovation of Lorengau Market roof and
  - Community grants for youth activities.
- Ministers also noted the ongoing successful implementation of the \$420m broader Australian development assistance package
  - Angau Memorial Hospital – redevelopment on a 50/50 basis with Government of PNG
  - Lower Courts Complex – design of a magistrates complex in Port Moresby
  - Madang to Lae Road – design of the road
  - University of PNG – infrastructure and twinning support

<http://www.minister.immi.gov.au/media/sm/2014/sm213227.html>

### **Port Moresby governor on Manus**

The governor of Port Moresby has called on Papua New Guinea not to “act like Australians” and to distance itself from Australia’s “treatment and attitude” towards asylum seekers, in an open letter criticising the Manus Island detention process.

In an open letter to the minister for foreign affairs, Rimbink Pato, Parkop decried the detention of asylum seekers as “repugnant to our traditional and contemporary culture and to our Christian values”. In his letter Parkop called on Pato to adopt a more humane and “morally superior” approach to processing asylum seekers than the current Australian-run system, which he said went against the UN convention on refugees, to which PNG is a signatory.

“This is an Australian practice which we should guard ourselves against,” Parkop wrote. “We are a compassionate nation and people known for our hospitality and compassion in reaching out to people in hardship, distress or seeking comfort.”

Powes Parkop, governor of PNG’s capital city, is a former human rights lawyer. He is originally from Mbuke Island off the south coast of Manus Island. The Australian departments of Foreign Affairs and Immigration did not respond to requests for comment.

<http://www.theguardian.com/world/2014/may/06/port-moresby-governor-calls-on-png-not-to-act-like-australians-on-manus>

### **Navy captain stood aside over Indonesia breaches**

A Royal Australian Navy captain will lose command of his ship and another will receive administrative punishment over the recent incursions into Indonesian waters during border protection operations. The Chief of Navy, Vice Admiral Ray Griggs, announced that he was carrying out the sanctions against the ship commanders to uphold the standards of the navy. Five more captains would be “formally or informally counselled,” the statement said.

While Admiral Griggs accepted the incursions in December and January were not deliberate, they constituted “lapses in professional conduct that required action to be taken.” As a result, he would “remove one Commanding Officer from his command and another will be administratively sanctioned”. There were seven navy vessels involved in the six incursions, with more than one ship involved in each breach. The Customs vessel Ocean Protector also breached Indonesian waters.

Fairfax Media understands that at least some of the incursions happened while asylum-seeker boats were being turned back to Indonesia. A review of the incidents by Defence and Customs found that the breaches – which angered Jakarta – were inadvertent and arose because the ships’ crews did not know where the maritime boundaries lay. Indonesia, as an archipelago country, has boundaries that are calculated according to base lines, meaning the actual boundary can be much further out than the standard 12 nautical miles.

<http://www.smh.com.au/federal-politics/political-news/navy-captain-stood-aside-another-punished-over-indonesia-breaches-20140417-zqvxa.html>

### **Sri Lanka thanks Australia**

The Sri Lankan government has publicly thanked Australia for its “bold” decision not to co-sponsor a UN resolution to investigate alleged human rights abuses in the South Asian nation.

Immigration Minister Scott Morrison and the head of Operation Sovereign Borders, Lieutenant-General Angus Campbell, welcomed a Sri Lanka delegation, including Defence Secretary Gotabaya Rajapaksa, formally invited by the federal government.

“The government of Australia considers accountability and human rights concerns should be addressed within an internal mechanism and not by any international investigation as suggested by other countries,” the high commission statement said.

“The Australian side indicated that they would render all possible assistance to Sri Lanka in this regard,” it said.

Foreign Affairs Minister Julie Bishop said “the Australian Government has a well-known policy of engagement with the Sri Lankan Government and a constructive and diverse relationship with Sri Lanka.”

During November’s Commonwealth Heads of Government Meeting, Australia did not join other major countries that criticised the regime’s human rights abuses. Both India and Canada boycotted the meeting, while the United Kingdom’s Prime Minister David Cameron publicly condemned the regime. In contrast, Prime Minister Tony Abbott presented the government with two patrol boats.

<http://www.smh.com.au/federal-politics/political-news/sri-lanka-thanks-australia-for-its-bold-decision-20140506-zr5n9.html>

### **Federal government’s orange lifeboats trebles to \$7.5 million**

The figure is \$5 million more than the initial \$2.5 million allocated to purchase lifeboats in January. It is believed each lifeboat costs about \$200,000, which means the lifeboat fleet has increased from 12 boats to about 37 boats, each of which are only used once. According to documents obtained by Fairfax Media \$5.7 million will also be spent on an Australian Maritime Identification System, intelligence gathering technology that aims to locate “security threats” on the water before they reach Australian shores.

The documents also show the cost of extending naval vessel, the Triton, for six months is \$16.8 million, while the cost of increasing the contract for the armed patrol vessel, the Ocean Protector is \$25 million.

This latest announcement comes as the cost of running Operation Sovereign Borders continues to dominate discussion around Australia’s immigration policies. The UNHCR Asylum Trends report, shows 612,700 people applied for asylum in North America, Europe, East Asia and the Pacific last year, the highest total for any year since 2001. “There is clear evidence in these numbers of how the Syria crisis in particular is affecting countries and regions of the world far removed from the Middle East,” said Antonio Guterres, UN High Commissioner for Refugees.

<http://www.smh.com.au/federal-politics/political-news/cost-of-abbott-governments-orange-lifeboats-to-tow-back-asylum-seeker-trebles-to-75-million-20140320-355ci.html>

## Dengue fever outbreak hits Nauru

A dengue fever outbreak has gripped one of Australia's offshore processing centres in Nauru, raising serious questions about the welfare of asylum seekers on the island. The mosquito borne disease has affected two asylum seekers and one site worker, the immigration department confirmed. "All three people have been isolated and are receiving appropriate treatment and are expected to make a full recovery," a spokeswoman for Immigration Minister Scott Morrison said. No pregnant women have been affected, and there is "a comprehensive mosquito control program" on the island, the spokeswoman said.

But the outbreak in the centre, which houses 1166 asylum seekers, has caused the Greens to renew their call for the restoration of an independent health advisory panel for offshore detention centres that was axed in December. "An independent panel of experts to oversee the medical and psychological health of refugees in these camps is an absolute necessity. Dr Louise Newman, the former chair of the Independent Immigration Health Advisory Group, said the latest outbreak was "gravely concerning" for women and children on the island.

<http://www.smh.com.au/federal-politics/political-news/dengue-fever-outbreak-hits-nauru-sparking-calls-for-restoration-of-health-advisory-panel-20140417-zqvt8.html>

## Migrants fear racism

Australians are no longer just a weird mob – they are also seen as racist and discriminatory, a survey of new migrants says. Asked to nominate what they "least like" about Australia, racism and discrimination was listed among migrants' chief concerns.

Those from non-English speaking backgrounds were almost twice as likely to report suffering discrimination than those from English-speaking countries. People from India or Sri Lanka were most likely to list prejudice as the least desirable aspect of Australians but a significant number of New Zealanders also complained of discrimination. The Monash University study found many migrants fear walking alone at night or being a victim of crime.

The survey, is the latest in a series, Mapping Social Cohesion. It is the first to allow researchers to compare the experience of recent migrants with the wider Australian population. The survey shows migrants who have arrived in Australia over the past two decades often feel singled out because of their skin colour or faith and report a disturbing lack of trust, both in other people and political institutions compared with the rest of the population. They are less likely to be politically engaged, despite being regularly tuned to news and current affairs in their new home.

Findings about the national character appear most stark. Asked what they "most like" about Australia, barely 3 per cent of recent migrants describe Australians as "caring, friendly, hospitable", a dramatic drop from similar surveys in the 1990s. But the latest findings also point to migrants' general satisfaction with their new home and the quality of services. People from China and India are more likely to adopt Australian citizenship than those from Britain or North America. Migration rates have doubled from the 1990s, shifting from an emphasis on family unification to job skills.

<http://www.smh.com.au/national/migrants-fear-racism-being-victims-of-crime-20140323-35boq.html>

## **Justice for Refugees**

Many Australians are deeply worried about the direction of Australia's asylum policies and the impact this is having on people in desperate need of refugee protection. People are also increasingly frustrated that the Government remains committed to its harsh deterrence policies, despite the incredible damage it is inflicting on innocent men, women and children.

Refugee Council of Australia President Phil Glendenning will speak at the Palm Sunday rally providing an opportunity to show the public there is broad community support for policies that protect, not punish people who have asked Australia for refugee protection.

A Just Australia Bulletin – 9 April 2014

## **Exploited workers**

Many Western Australians would be horrified to learn they have been buying fruit and vegetables produced by exploited people, WA Police Minister Liza Harvey says. Her comments follow raids on market gardens and houses in Perth's north yesterday which saw guns, cash and computers seized, and 180 foreign nationals questioned by police. "Over time as this unfolds I think there will be some shocking revelations," Ms Harvey said.

An area of Carabooda in Perth's northern suburbs was shut down after Tactical Response Group officers descended on a walled community containing about six houses. Police say the main focus of the raids is not on them, but on a money laundering operation. The operation, which involved 550 law enforcement officers and 12 months of surveillance and investigation, has been described as the biggest of its kind in Western Australian history.

Ms Harvey said workers had been forced into accepting unreasonable work conditions. They have been shanghai'd into working at low rates and in conditions that other Australian workers would never tolerate," she said. "Taking advantage of people who are desperate for employment and desperate for a new life. It's a very big organised crime ring and I'm very proud of our officers who have been involved in this."

<http://www.abc.net.au/news/2014-05-04/exploited-workers-producing-fruit-and-veg-in-city-market-gardens/5429158>

## **The United Nations**

### **UN representatives criticise the Federal government's boat tow-back policy**

United Nations representatives have joined the criticism of the government's boat tow-back policy and called on Australia to process asylum seekers who reach Australian waters instead of returning them to Indonesia. But Immigration Minister Scott Morrison has refused to change tack, saying he "completely disagrees" because the "policy is working".

The regional head of the United Nations High Commission for Refugees also revealed that Australia has refused to provide information to its inquiry about three asylum seekers who claim they had their hands deliberately burned during a tow-back mission in January. And UNHCR senior regional protection adviser Tom Vargas criticised Australia's proposal to send refugees to Cambodia, saying it was "not in the spirit of resettlement". The frank broad critique comes after a two-day conference in

Jakarta, attended by Australia's deputy ambassador to Indonesia David Engel and representatives of 14 other countries, to discuss the protection of refugees in the region.

UNHCR regional coordinator James Lynch said Australia's policy of sending boat arrivals to Papua New Guinea or Nauru, and of returning boats to Indonesia even if people had entered Australian water or landed on Australian territory (as happened in a number of recent tow-backs) are against the refugee convention. "If someone arrived in Australian waters, we'd expect as a requirement of the refugee convention that they be allowed to disembark and have access to asylum procedures... We'd expect [Australia] to honour their obligations," Mr Lynch said. Mr Vargas said "if every state in the region decides they'll close the door, then there will be nowhere safe for people to go." But the Immigration Minister was unmoved.

<http://www.smh.com.au/federal-politics/political-news/un-representatives-criticise-abbott-governments-boat-towback-policy-20140423-zqxz1.html>

### **Asylum seeker resettlement deals**

The United Nations refugee agency has warned resettlement countries are obliged to deliver education and labour rights and "not just safety" to asylum seekers, as the government prepares to do a deal with Cambodia. The UNHCR's director of international protection Volker Turk has also diplomatically rebuffed Immigration Minister Scott Morrison's push for signatories to the Refugee Convention to define their own obligations.

The remarks came after Mr Morrison said that a country's economic capacity was irrelevant to his expansion of a "club" of nations that could take refugees: "It's not about whether [resettlement countries] are poor, it's about whether they can be safe." The Minister insisted he would not be swayed by concerns from agencies such as the UNHCR, declaring: "we are a sovereign body and we will protect our border." Speaking on the 60<sup>th</sup> anniversary of the Refugee Convention, Mr Turk rejected Mr Morrison's claims that the convention, which he said had saved millions of lives, needed revision. What was required, he said, was "proper application and implementation, practical co-operation and burden-sharing". He said the convention required Australia to not return refugees to unsafe territories, and also to ensure asylum seekers and refugees had freedom of movement, education, access to health care and labour rights. The convention stood for "fundamental principles of a standard of treatment that is adequate and dignified to the human being", he said. The Refugee Convention was drafted after World War II to secure better protection for refugees than the international community had afforded those fleeing the Nazis in Europe in the 1930s and 1940s. Australia was the sixth country to sign in 1954, bringing it into effect.

Australia had agreed in the convention to co-operate with the UNHCR in implementing it, including to its role as supervisor: "This makes eminent sense because you need an organ that is the voice of reason above the fray of domestic politics." People still needed the convention's protection in the current "refugee crisis", with 2.4 million people estimated to be fleeing their homelands globally. A quarter of Lebanon's population – one million people – were now refugees, he said, many of whom had fled the Syrian conflict.

<http://www.smh.com.au/federal-politics/asylum-seeker-resettlement-deals-not-just-about-safety-unhcr-20140425-zqz1v.html>

## **Nauru breaching international law, says UN**

By failing to establish an independent body to investigate torture and human rights abuses in the detention centre Nauru is breaching its international obligations. The Nauruan government has also refused access to several United Nations groups wanting to inspect the centre. Questions have been raised about Australia's "disintegrating" relationship with the small island nation, which houses 1179 asylum seekers, and whether it is also breaching international standards by continuing to send people there.

Nauru is in breach of a February deadline to establish an independent local body to regularly inspect the detention centre, a commitment it was supposed to meet after ratifying a UN anti-torture convention last year. Malcolm Evans, chairman of the UN's sub-committee on prevention of torture, said all member states were required to establish an independent body for overseeing detention centres and "Nauru has obligations now that it has clearly not fulfilled. Getting visits from outside is all well and good but having something that's locally based is simply the most useful thing that can be done to try to prevent ill-treatment of people in detention," he said. By continuing to detain asylum seekers in Nauru, Australia was "at risk of putting that state in breach of its international obligations," Professor Evans said.

Fairfax Media has also discovered that several UN bodies have been prohibited from inspecting the detention centre, by having access suddenly denied or revoked. Immigration Minister Scott Morrison has repeatedly said the Australian government played no part in the decision and respects the sovereignty of Nauru. One UN source said "at least three, possibly several more" visits were cancelled in the past seven to eight months while Fairfax has confirmed three visits by UN bodies have been cancelled since January. The Nauruan opposition has criticised the government for its "disintegrating" relationship with Australia, saying there should be more scrutiny of the running of the centre.

Parliament has not sat for several months on the small island and the opposition, which has been prohibited from speaking to local media, says the government has become lawless under Justice Minister David Adeang. Nauru should not be shying away from these obligations and should be welcoming the UN bodies to come and do their job," he said. "There is a lot of uncertainty. The Australian government should have some concern." Unlike Nauru, Australia is not one of the 72 states that have ratified the anti-torture protocol, but it is a signatory.

<http://www.smh.com.au/federal-politics/political-news/nauru-breaching-international-law-says-un-20140421-zqxe8.html>

## **Human Rights**

### **Children in detention**

The Australian Human Rights Commission is conducting an inquiry into Australia's practice of placing asylum seeker children in detention. Following a visit to Christmas Island's detention facilities in March, the president of the Human Rights Commission, Gillian Triggs, said Australia was in breach of international law.

"As a matter of very clear international law children should not be detained for anything more than what is absolutely necessary for health checks and checks," Professor Triggs told ABC News 24.

Under Australian law, asylum seekers who arrive by boat are put in detention until their claim has been processed and their refugee status determined. This applies to people of all ages.

The Immigration Department said at the end of February there were 929 children “in immigration detention facilities and alternative places of detention” in Australia, and a further 177 children in offshore detention in Nauru. The average amount of time people spend in detention is more than eight months. Australia is a signatory to the Convention on the Rights of the Child, which sets out international benchmarks for the care and rights of all children. The age limit in Australia is the 18<sup>th</sup> birthday. It is lower in a country that specifies adulthood as beginning at a younger age.

Article 37 of the convention says that “no child shall be deprived of his or her liberty unlawfully or arbitrarily”. Article nine of the International Covenant on Civil and Political Rights, which Australia ratified in 1980, says “everyone has the right to liberty and security of a person”.

Kevin Boreham, a lecturer in international law at the Australian National University says “Australia is bound under international law to obey this obligation”. Mr Boreham says it is “theoretically possible” for a child held in immigration detention to make a complaint to the UN Committee on the Rights of the Child, but that Australia has not ratified the optional protocol attached to the convention that would allow children to do so.

International law and children’s rights expert Professor John Tobin from the University of Melbourne agrees that Australia is in breach of Article 37 of the Convention on the Rights of the Child and also Article Nine of the International Covenant of Civil and Political Rights. Professor Tobin says several complaints about Australia’s detention policy have been made to the United Nations Human Rights Committee.

<http://www.abc.net.au/news/2014-03-31/children-in-detention-is-australia-breaching-international-law/5344022>

## Foreign Affairs

### **ABC wins unprecedented access in landmark Chinese deal**

The Australian Broadcasting Channel has won permission from the Chinese government to have Australia Network content made available to the entire Chinese population – the most expensive access given to any Western broadcaster.

The deal follows Prime Minister Tony Abbott’s visit to China last week, but will now put pressure on the government to rethink its plans to withdraw the Australia Network’s funding. Veteran media buyer Harold Mitchell said the deal showed “an incredible acceptance by China of Australia” after the failure of US companies News Corporation and Google to break into the market.

“This is one of the most important breakthroughs in communications between our countries. No one else has been able to do it,” Mr Mitchell said. “It is one of the greatest ways we can continue on with the Prime Minister’s very successful visit to China last week.”

Britain’s BBC World Service and America’s CNN International are the only Western broadcasters with landing rights in China. But their rights limit broadcast to certain international hotels and diplomatic compounds. Australia Network has secured rights through Shanghai Media Group, China’s second biggest media company, to host ABC and other Australian content on a web portal that anyone in China can access. Chinese broadcast partners will be able to buy the content to run on televisions around the country.

The deal will also enable Chinese media companies to sell content to the ABC and other Australian media groups. The arrangement allows the ABC to establish a base in Shanghai with official approval to represent and sell media content across China, enter into international co-productions and generate international sponsorship and promotional opportunities.

Lynley Marshall, chief executive of ABC International, said: "Importantly, the agreement will provide opportunities for promotion of Australian business, tourism, entertainment, culture and education and can include video content from [the] Australia Network".

<http://www.smh.com.au/entertainment/tv-and-radio/abc-wins-unprecedented-access-in-landmark-chinese-deal-20140416-36sa3.html>

### **Australia and the European Union agreement**

Australia's Minister for Foreign Affairs Julie Bishop and the European Commissioner for Development Andris Piebalgs have signed a declaration which will enhance and broaden our international development partnership. The declaration marks the commencement of delegated development programs in Fiji and in South Sudan where the European Union and Australia will administer aid on each other's behalf. These arrangements are the European Union's first with a non-European donor bring Australia and the EU closer on development matters and will ensure our aid programmes are delivered more efficiently and effectively. Australia will delegate A\$2.5 million (1.7 million) over three years to an EU food security initiative to support the Government of South Sudan to strengthen the quality and use of food, livestock and nutrition information in decision-making. The EU will delegate 4 million (A\$5.9 million) over three years to provide formal training and job placements through the Australian-Pacific Technical College.

[http://www.foreignminister.gov.au/releases/Pages/2014/jb\\_mr\\_140417.aspx?ministerid=4](http://www.foreignminister.gov.au/releases/Pages/2014/jb_mr_140417.aspx?ministerid=4)

### **Statement on developments in the South China Sea**

Australia welcomes statements issued in the context of the ASEAN Summit on 10-11 May, regarding the situation in the South China Sea. Australia shares the serious concerns expressed by ASEAN over recent developments which have served to raise tensions in the region.

Australia does not take a position on competing claims in the South China Sea, but has legitimate interest in the maintenance of peace and stability, respect for international law, unimpeded trade and freedom of navigation. Australia urges parties to exercise restraint, refrain from provocative actions that could escalate the situation and take steps to ease tensions.

Australia calls on governments to clarify and pursue territorial claims and accompanying maritime rights in accordance with international law, including the Convention on the Law of the Sea (UNCLOS). Australia encourages China and ASEAN member countries to make early progress on a substantive code of conduct for the South China Sea.

<http://www.dfat.gov.au/media/releases/department/2014/dfat-release-20140514.html>

### **Australian aid for Syrian children**

Australia provides \$20 million for children affected by Syrian crisis. Minister for Foreign Affairs, Julie Bishop, announced that Australia will provide \$20 million for children in Lebanon and Jordan who have fled across borders as refugees due to the Syrian crisis. Around half of the 2.7 million Syrian refugees are children, and around 70 percent of these children are not attending school. Children are the most affected of the fighting – an entire generation is being shaped by fear and violence and, often, without an education. Australia will provide \$9 million to the Office of the United Nations High Commissioner for Refugees (UNHCR), \$9 million to the United Nations Children’s Fund (UNICEF) and \$2 million to Save the Children Australia.

[http://www.foreignminister.gov.au/releases/Pages/2014/jb\\_mr\\_140421.aspx?ministerid=4](http://www.foreignminister.gov.au/releases/Pages/2014/jb_mr_140421.aspx?ministerid=4)

### **A.P.B. Education**

#### **Specialist IELTS Test Training and Coaching**

Passing an IELTS test is now an essential requirement for all applicant for General Skilled Migration, student visas, and for many employer sponsored applicants. Adrian Bitel provides individual lessons to assist applicants achieve proficiency to the required levels in:

- Reading
- Speaking
- Writing
- Listening

He gives comprehensive ONE to ONE Personalised Coaching in any or all of the above areas.

Contact: Adrian Bitel on (02) 9286 8700 or Mobile: 0412 656 026

#### **Parish Patience Immigration**

Lawyers  
Level 1, 338 Pitt Street  
Sydney NSW 2000  
Australia

Tel: +61 2 9286 8700

Fax: +61 2 9283 3323

Email: [ppmail@ppilaw.com.au](mailto:ppmail@ppilaw.com.au)  
[www.ppilaw.com.au](http://www.ppilaw.com.au)

