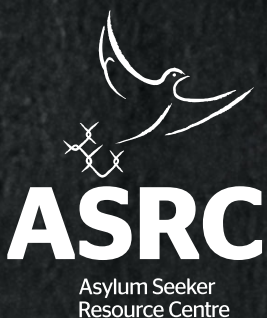


FINISH THIS CRISIS

Stories exposing
the horrors
of offshore
detention

July 2023



Artwork: Mastaneh Azarnia

Introduction

What has been done is enough. I want a good and bright future for my family, not only my family but for everyone's family. Whoever comes here, they want to build their future and they just want to be brighter in their life.

Zohreh Mirzaei,
Australia, 2023

Since July 2013, 3,127 people who sought safety in Australia were subjected to offshore detention in Papua New Guinea (PNG) and Nauru.¹ A decade later, people who resisted under this cruel system are still held offshore, as well as spread around the world. This report will touch on six of their stories to provide a small snapshot of what occurred in the ten years since this policy started. Including Zohreh Mirzaei's story, who lives with her family in Australia in community detention after years held on Nauru; Abdi Adan Muse's story as he enters his tenth year held in PNG; Qudratullah Qhausi's story who survived Nauru and now helps refugees from Afghanistan in the US; Mardin Arvin's story of sustained advocacy from PNG to Canada; Mohammad's story from Nauru to rebuilding his life in Canada; Abdul Aziz Adam's story from Manus Island to university in Switzerland; and the stories of those who were sent back to danger by the Australian Government.

In recognition of the cruelty and harm endured and exposed by people subjected to the offshore detention regime, the Albanese Government must listen to those impacted and:

1. Immediately offer to all people remaining offshore urgent evacuation to Australia.
2. Provide permanent resettlement to all people subjected to offshore detention.
3. Establish a Royal Commission into offshore detention.

People who sought asylum by sea have been used by politicians for political point scoring for the past decade. Fleeing to Australia in search of safety, they have been denied the basic rights to live in safety and with dignity that everyone deserves. After ten years of resistance and community pressure, the politics of fear and division that led to offshore detention are weakening but must end.

In July 2013, then-Prime Minister Kevin Rudd had only recently regained the position from Julia Gillard, and was a few months away from a tight election. It was in this volatile context that the Rudd Government signed an agreement on July 19, 2013, with the PNG Government, that would transfer people who sought asylum in Australia by sea to an offshore detention centre on Manus Island, as well as the pre-existing detention centre in Nauru. Rudd announced at the same time that people who sought safety in Australia by sea would not be resettled in Australia. This announcement followed advice from a 2012 panel and was part of political manoeuvring that would result in refugees being used as political pawns for the next decade, with politicians stoking fear amongst the community with the hope of electoral gain.

July 19, 2013 represents the beginning of the most recent iteration of offshore detention and 'processing' by the Australian Government. Over the last decade, the refugees subjected to this cruel system exposed countless injustices and endured the Federal Government's determination to harm people who sought safety. Through their resistance, the politics of fear and division is losing its power. But the people who sought safety all those years ago are still denied justice and the right to rebuild their lives.

¹ Department of Home Affairs "Question on Notice: AE17170 IMA Offshore Management - Transferees sent to offshore detention" (2022).

Where are people now?

Late at night on June 24 2023, the final refugee to be evacuated from Nauru was transferred to Brisbane, leaving behind an empty detention centre that will be maintained by a for-profit prison company, Management and Training Corporation (MTC). However, there are still around 80 people held in PNG who after ten years continue to be denied their freedom.²

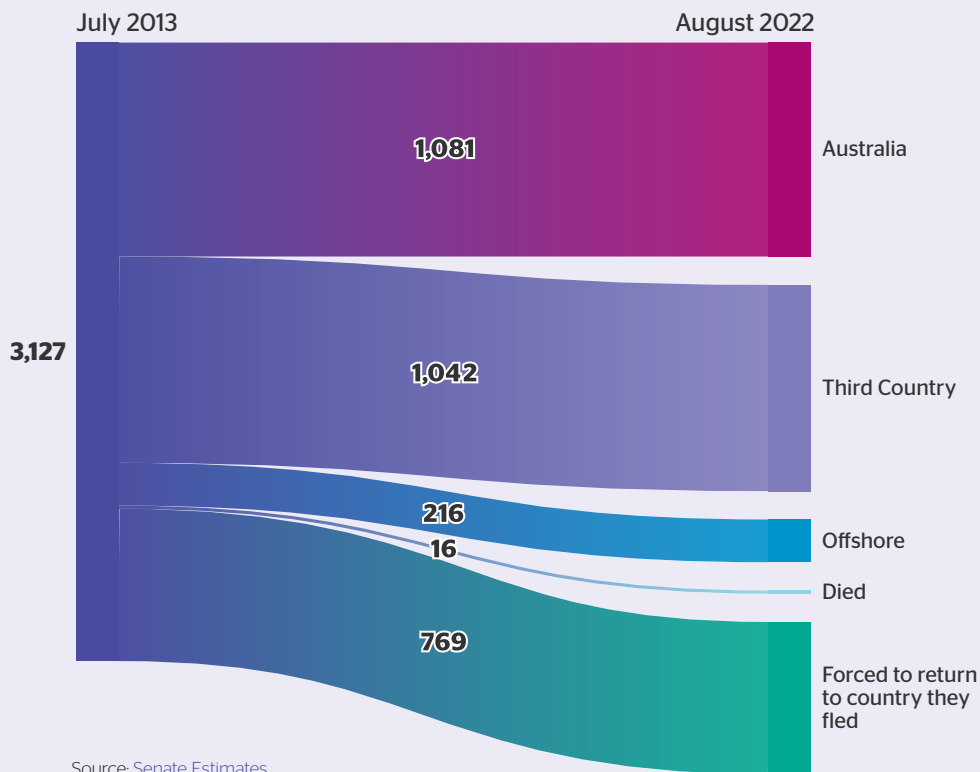
Over the past decade, consistent pressure from the community and the resistance of refugees themselves has seen hundreds of people evacuated from offshore detention to Australia. There are currently over 1,000 people living in Australia, who were previously held in an offshore detention centre.³

People transferred from offshore detention to Australia are denied permanent resettlement in Australia, and currently fall into two broad groups. Around 800 people are held on harmful bridging visas, often cruelly named 'Final Departure Bridging Visa E'. These visas must be renewed around every six months and there is no guaranteed access to work rights, study rights, or healthcare and lack of any access to mainstream social support.

There are also around 300 people in Community Detention, also known as Residence Determination, which provides limited access to housing and some income support, however, people are prohibited from working, studying and in some cases volunteering and leaving the state.

Over 1,000 people subjected to offshore detention have secured permanent resettlement in a third country such as the US, New Zealand and Canada.

Finally, at least 16 people have lost their lives as a direct result of offshore detention, 14 who are known to the public, and over 760 have been returned to the country from which they fled.⁴



2 ASRC "Refugees evacuated from Nauru after a decade, 80 people remain in PNG" (2023). <https://asrc.org.au/2023/06/25/refugees-off-nauru/>

3 The Department Home Affairs, "The Administration of the Immigration and Citizenship Programs, eleventh edition" (2023).

4 Department of Home Affairs "Question on Notice: OBE22-164 - Transitory Persons - After 19 July 2013" (2022).

Zohreh Mirzaei's Story: Nauru to Australia

As a parent you have to show you're strong enough as an example to give to your kids, to be strong, to be brave, to be positive, but sometimes you are not that person anymore... **everything immigration did to us is breaking, smashing our personality.**

Zohreh Mirzaei,
Australia, 2023

In August 2013, Zohreh Mirzaei, her partner and her then eight-year-old son arrived in Australia after a perilous journey from Iran. Zohreh and her family were fleeing persecution and sought to rebuild their lives in a country they thought was safe.

"In Iran, we were being followed, being watched. Our life became so horrible we had no safety. Those horrible things my son watched behind the couch, when they came to take me and took my husband and put the gun on my forehead, and my mother, and the screams, the yelling.

I was under custody for ten days, I lost my [baby after] maybe six weeks of pregnancy. I have been tortured, I've been hit, I've been badly treated by the Government of Iran."

Zohreh landed in Australia only weeks after Rudd's July 19, 2013 speech. Within a month she and her family were taken to the detention centre on Nauru. In a testament to the arbitrary nature and cruelty of the policy, there were people on the same vessel as her who were not taken to offshore detention. Instead, those who sought safety with Zohreh were allowed to reside in Australia on Temporary Protection Visas, and now have a pathway to permanency in Australia.

"I've been honest, I've been honest at every single point of my life, so that's what I deserve. I want justice. The only thing someone needs to tell me is: what is the difference between me and my friend, who will become a permanent resident?

I'm really, really happy for them... they are human, now they found their home, a safe home, I'm so happy for them. So what's different for me?

We had no chance to come a different way. It was the only option and now we are here, me and my friend, we came at the same time. What's the point to separate us?"

Zohreh and her family were held offshore in Nauru for three-and-a-half years. The medical facilities were inadequate, with the Republic of Nauru hospital lacking the equipment that would become essential as the physical trauma and toll of offshore detention emerged.

Zohreh and her family were eventually evacuated to Australia in 2016, but the impact of the three years of detention on Nauru endured.

"It's more than torture... sexual assault being everywhere because the security [was not] security. Why do they pay that much money to keep us there? The worst part was the heat, it was over 40 degrees, there was no cooling system. After a month I thought where the hell am I? This tent, security everyone just ignoring you, everyone, just assaulting you... the food was 6 months expired, the yoghurt, how could you drink or eat yoghurt or milk or dairy product after 6 months [being expired]? ... because of the dirt it damaged my ear, I lost half of my hearing, on my left side.

I can't talk in front of my youngest child [about this] because I don't want them to understand and hear what's happening. I don't want to make their mind busy with some bullshit that happened to us. It has no meaning except torturing people. How can I explain that to my youngest?"

After arriving in Australia, Zohreh and her family were not provided with the protection and support needed. Instead, for the last eight years they have lived in Community Detention, which prevents Zohreh and her now husband from working and studying.

While in Australia, Zohreh had two more children, a son and a daughter now aged five and six years. Zohreh's youngest children are two of over 100 people born in Australia to parents who were subjected to offshore detention.⁵ Zohreh's family, like others, are all bound by the Federal Government's policy that prevents them from studying, working, enjoying basic freedoms and resettling in Australia.

"My [eldest] son [now aged 17 years] wants to go to university, all his classmates started to work at McDonald's, but he couldn't join them because of the immigration situation. But why do they [the government] make it more difficult?

It's still challenging, like a volcano coming up and down, up and down, all stress. Let us be free. Don't make it worse for us."

While there are resettlement options in third countries such as the United States and New Zealand, there are insufficient spaces for all those in need. For some people, like Zohreh, who have been in Australia for nearly a decade and have had children here, overseas resettlement is not seen as a viable option.

"Your home country is your mother. It's nothing you can choose, it's out of your control. Wherever you are born you're born in your mother's arms... The country you immigrate to is like your wife, you can choose you can pick - I choose Australia.

But when your wife cheats on you, the damage, it breaks your heart. When they sent us to Nauru, with all the honesty I had... I didn't come here just to treat myself, I came for safety - first reason safety."

Despite all the harm and insecurity the Australian government has inflicted, Zohreh has resisted and found joy.

"I have my kids, without any fear. I know the immigration part is challenging, but when you hug your kids, when you enjoy your kids it's different, without any fear of something bad happening... I love that. It's all you and them.

Raising my kids and having them here [it's the] good that happens to wipe some bad memories. For example, on the 8th of February 2014... I was forced to Nauru. On the 8th of February 2017, I gave birth to my daughter. I always celebrate the day."

5 Department of Home Affairs "Question on Notice: BE22-099 - Transitory Persons in Australia" (2022).

Indefinite Despair⁶

In October 2018, the medical care charity Médecins Sans Frontières (MSF), also known as Doctors Without Borders, was forced to leave its role as a healthcare provider in Nauru. Two months later, the organisation released a report entitled *Indefinite Despair: The tragic mental health consequences of offshore processing on Nauru*, based on what they witnessed during their time in Nauru.

The publication reported that the mental and physical health of people held offshore was critical, with 62% having moderate or severe depression and a quarter experiencing violence in Nauru.

Disturbingly, the report noted the prevalence of a rare psychiatric condition called Resignation Syndrome, affecting one in every four children held offshore whom MSF assisted. This syndrome caused children to enter a comatose state and required medical care to keep them alive. Professor Louise Newman of the University of Melbourne described the syndrome as follows:

“The condition starts as a progressive social withdrawal and reluctance to engage in usual activities such as school and play. Children may become isolated and appear depressed and irritable. They frequently resist others’ attempts to support or encourage them to engage.

As the condition progresses, children may stop talking and isolate themselves in bed; they may also stop eating and drinking. The most serious stage of the disorder is when children enter a state of profound withdrawal and are unconscious or in a comatose state.

This comatose state appears to be a state of ‘hibernation’ in response to an intolerable reality. They are unresponsive, even to pain. They appear floppy, without normal reflexes, and require total care, including feeding and intravenous fluids, as otherwise, they risk kidney failure and death from complications caused by immobility, malnutrition and dehydration. This is a life-threatening condition needing high-level medical care.”

Detention also has long-term developmental and mental health impacts on children. Children detained for long periods of time are at higher risk of suffering mental illness and post-traumatic symptoms including anxiety, distress, sleep and behavioural disturbances, bed-wetting, suicidal ideation and self-destructive behaviour including attempted and actual self-harm.⁷ Under no circumstances can children be subjected to these torturous conditions again.



Image: Australian Human Rights Commission

6 Médecins Sans Frontières, “Indefinite Despair: The tragic mental health consequences of offshore processing on Nauru” (2018). https://msf.org.au/sites/default/files/attachments/indefinite_despair_4.pdf

7 The Royal Australian and New Zealand College of Psychiatrists “Fifteen years of detaining children who seek asylum in Australia - evidence and consequences” by Sarah Mares (2016).

Abdi Adan Muse's Story: PNG

When I wake up, I try and keep myself busy. It is difficult, the only thing to keep myself busy with is my Smartphone but the internet connection is poor. It has an impact on you psychologically - always thinking and constantly worrying. **When you don't have a family with you, it is difficult to keep yourself busy.**

Abdi Adan Muse,
PNG, 2023

"Nonetheless, the core fact remained that it [offshore processing on PNG] was explicitly designed as a one-year agreement... any extension of the agreement beyond a year would be reliant on the annual reviews that would have examined both Australia's and PNG's treatment of asylum seekers and refugees, consistent with their international obligations." - Kevin Rudd, Australia, 2016⁸

Abdi Adan Muse arrived in Australia in October 2013 having fled Somalia after the militant group, Al-Shababb, attacked his farm. Instead of rebuilding his life, Abdi Adan was taken by the Abbott Government to Manus Island detention centre, in PNG.

In October 2023, Abdi Adan will have been held in PNG by the Australian Government for ten years. Every birthday from the ages of 25 to 35, Abdi Adan has spent without family, and prevented from rebuilding his life and denied his human rights with the remaining 80 people in PNG. He has asked the Albanese Government for one thing:

"Take me out of this place. I have been physically, and mentally tortured. I have been here a long time, nothing good comes out of this place, take me to a better place than here, I can't handle more than ten years."

Abdi Adan is no longer in closed detention on Manus Island. Currently, he resides in Port Moresby in a repurposed hotel.

In April 2016, the PNG Supreme Court ruled that the detention of people seeking asylum on Manus Island was contrary to the rights and liberties provided under the PNG constitution.

The then PNG Prime Minister Peter O'Neill called on the Turnbull Government to respect the Court's ruling and "make alternative arrangements" for the people held in PNG.⁹ Instead, the Australian Government announced that the detention centre would close on 31 October 2017 and people would be moved to the PNG capital of Port Moresby. While people bravely protested, as they feared conditions in the community and wanted access to their rights, armed security guards entered the compound and beat them until they left the detention centre.

8 Sydney Morning Herald, "Malcolm Turnbull has sunk to a new low with refugee folly" by Kevin Rudd (2016). <https://www.smh.com.au/opinion/malcolm-turnbull-has-sunk-to-a-new-low-over-refugees-to-hang-on-to-his-job-20161101-gsfbui.html>

9 Office of the Prime Minister PNG "PM O'Neill: Manus Regional Processing Centre will Close" Peter O'Neill (2016). <https://www.documentcloud.org/documents/2813891-PNG-PM-Peter-O'Neill-s-statement.html#document/p1>

People's fears were well founded, as the conditions in the PNG community for the years that followed were dangerous and harmful, with inadequate support in place.

“There are no professional doctors here, I doubt that the people they bring here are even qualified. Many times people have been misdiagnosed. They are here to make money from our misery, the government pays them and doesn't care about us, and corruption is rampant.

I can honestly say, there is not one good thing about this place, whether security, medical or safety. I can't think of one thing where I can say: this place is good at that.”

ASRC detention advocacy

ASRC has the longest detention casework service in Australia, working with refugees and people seeking asylum who have been held offshore since 2001.

During this time, caseworkers have documented numerous critical incidents as a result of offshore detention. Some of these incidents have been publicly reported, such as the murder of Reza Barati and the attack on Rajeskumar Rajagopal.¹⁰ However, many other incidents are not public. Concerningly, the last ten years of offshore detention have almost normalised harm that occurs as a result of detention.

This was clearly shown when ASRC representatives went to the Manus Island detention centre in 2017. The visit was prompted by the events of 31 October 2017 when the Turnbull Government ordered all staff and personnel on Manus Island to abandon hundreds of people in the detention centre, leaving them without any food, water, medicine and utilities.

During the nearly month-long resistance and protest from the 400 people remaining in the abandoned detention centre, 150 people were suffering serious illnesses, including seizures, kidney stones, undiagnosed episodes of unconsciousness, infected cuts, ear and eye infections, skin abscesses, skin rashes, chronic diarrhoea and serious mental health issues. None were evacuated to Australia for medical treatment.¹¹

Over the past decade of offshore detention, ASRC caseworkers have submitted approximately 350 risk notifications, including 60 in the last 12 months, to Australian Border Force, the International Health & Medical Services (IHMS - funded health provider in Nauru) and the Pacific International Hospital (PIH - funded health provider in PNG).

These notifications are regarding high incidences of self-harm and suicidality and severe and deteriorating physical health conditions requiring urgent treatment. ABF has responded only to a few notifications, similarly, IHMS and PIH have only responded to a small number. However, their responses are generic, bureaucratic and unhelpful, and often did not result in the medical transfer, or proper medical or mental health care required.

Over 1,200 people were held at the detention centre on Manus Island at its peak in 2014. Now Abdi Adan and around 80 others wait for new life, with no clear information about prospects for resettlement, and inadequate support.

“We have been living in this situation for ten years with no proper medical facilities, it is better to be taken somewhere for treatment while we are waiting. I have been waiting for one year for resettlement [to New Zealand].

10 The Brisbane Times “This man was almost murdered on Nauru as a refugee. He wants protection in Australia” by Charlotte Grieve (2023). <https://www.brisbanetimes.com.au/politics/federal/this-man-was-almost-murdered-on-nauru-as-a-refugee-he-wants-protection-in-australia-20230401-p5cxa0.html>

11 ASRC “Visit to Manus: A global spotlight on the humanitarian crisis” (2017). <https://asrc.org.au/wp-content/uploads/2013/04/071217-ASRC-PNG-Visit-November-2017-Report.pdf>

The Australian Government is spending a lot of money, but we are not getting the care and support we need, we are dying here and we are not getting the support we are supposed to have. This place has been painful and I have suffered physically, mentally, and emotionally, diagnosed with diabetes as a result of constant worry and a state of depression. I can't take anymore, save us from here."

Even though Abdi Adan was told that he would only be held on Manus Island for a short period, options for resettlement have been limited and slow. It was not until November 2016, three years after offshore detention in PNG began, that the then-Turnbull Government agreed to the US resettlement deal. And it was not until March 2022, that the Morrison Government finally agreed to the long-offered New Zealand resettlement deal. Even now, there are not enough resettlement places for all those impacted by offshore detention.

"The Australian Government have their own policy. We have been here for ten years, suffering, and they have struck a deal with third parties, other governments. Look at our situation closely - and do something about it.

[The Australian Government] spend so much money for our detention here, but at the end of the day, we get nothing out of that, we are not getting services, we are not getting tangible [outcomes]. What is the point of wasting the resources of the people? The government needs to be logical and take us from this miserable place."

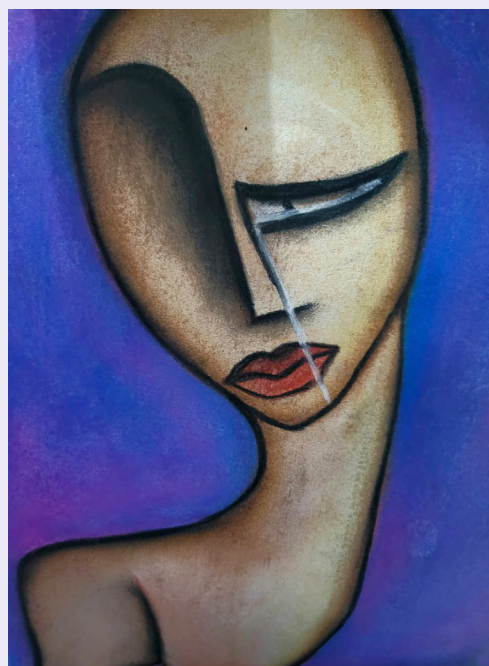
Moral and financial black hole

To spend even \$1 keeping someone in an offshore detention centre for one day would be a national shame. However, governments have kept thousands of people who came to Australia seeking safety in these conditions for a decade burning through billions of dollars.

Since 2011/12, federal governments have poured at least \$13 billion into the offshore detention regime.¹² For perspective, this amount could have funded social support for people seeking asylum living in the Australian community at its current rate for the next 850 years.

The Albanese Government will spend \$486 million on Nauru this year (with funding for PNG being removed from the budget papers in 2022 and avoiding public scrutiny), and around \$350 million each year over forward estimates.¹³ This follows a recent \$420 million three-year contract to a US private prison company, MTC, to operate in Nauru, currently accused of pandemic profiteering and unlawful use of solitary confinement.¹⁴

The Albanese Government, like those before it, has chosen to spend millions of dollars not on protecting the human rights of all or supporting people who sought safety, but instead on funding an empty detention centre in Nauru and maintaining a cruel system for political gain.



Artwork: Mastaneh Azarnia

¹² Department of Home Affairs/Department of Immigration and Border Protection "Portfolio Budget Statements" (2011-2023).

¹³ Department of Home Affairs "Portfolio Budget Statements 2023-24" (2023).

¹⁴ The Guardian "The 'egregious' history of likely new Nauru operator includes allegations of gang rape and murder in its US prisons" by Ben Doherty and Christopher Knaus (2022). <https://www.theguardian.com/australia-news/2022/sep/05/the-egregious-history-of-likely-new-nauru-operator-includes-allegations-of-gang-and-in-its-us-prisons>

Qudratullah Qhausi's Story: Nauru to the United States

Stop this policy. Take all those people that remain in PNG out. Respect the international convention for refugees. Rebuild the value of Australia again. Because people do not trust Australia anymore. But we want to.

Qudratullah Qhausi,
United States, 2023

In November 2016, pressure was building on the Turnbull Government concerning offshore detention, with refugees exposing wrongdoing and mounting community outrage. At the time, there were over 2,000 people still held offshore, including nearly 200 children, and six people had lost their lives while held by the Australian Government. A few months before, PNG's Supreme Court held that the detention centre on Manus Island was unconstitutional, and this ruling came only a few weeks after *The Guardian* released *The Nauru Files*, documenting thousands of human rights abuses in offshore detention in Nauru. Despite this, the Turnbull Government still had no pathway for people to rebuild their lives safely.

Qudratullah Qhausi was held in the Nauru detention centre at that time, and he says:

“My message is that that is not offshore detention, that is not a processing centre, that is a suicide centre. The world knows that it is still the suicide centre, you know.

I have proof that I say that is a suicide centre. Omid killed himself in front of us.¹⁵ Another guy, an Iranian, in front of his mother and his youngest brother. Other people, from Somalia, a lady, she burnt herself.

Even the kids learnt about suicide... The kids should be in the park, they should be in the education centre but the kids were in a jail and they were watching people kill themselves.”

It was in this environment that the Turnbull Government announced 1,250 refugees subjected to offshore detention will resettle in the US under a new agreement. Not once did Turnbull or his Minister for Immigration and Border Protection at the time, Peter Dutton, address the mounting human rights violations in Nauru and PNG committed under the Australian Government.

By the end of 2022, 1,081 people were transferred to the US under this deal and have resettled in the country.

One of the people who resettled to the US was Qudratullah. Qudratullah fled Afghanistan and arrived in Australia in August 2013, as he describes:

“I was working in the Afghanistan Government. I was targeted by the Taliban. The Taliban wanted to kill me and many times attacked me. They killed my security and my drivers.

I was a governor in Afghanistan, I had a good position to serve my people, to work for my people, but they targeted me ... and wanted to kill me and I left my country.”

¹⁵ ABC, “His burns were ‘very survivable’ but Omid Masoumali died slowly over two days” by Melanie Vujkovic (2016). <https://www.abc.net.au/news/2019-03-01/inquest-death-iranian-refugee-omid-masoumali-burns/10854742>

Third country resettlement

There are resettlement pathways for refugees who were held in offshore detention, however, they are limited. The two main pathways are to the US and New Zealand.

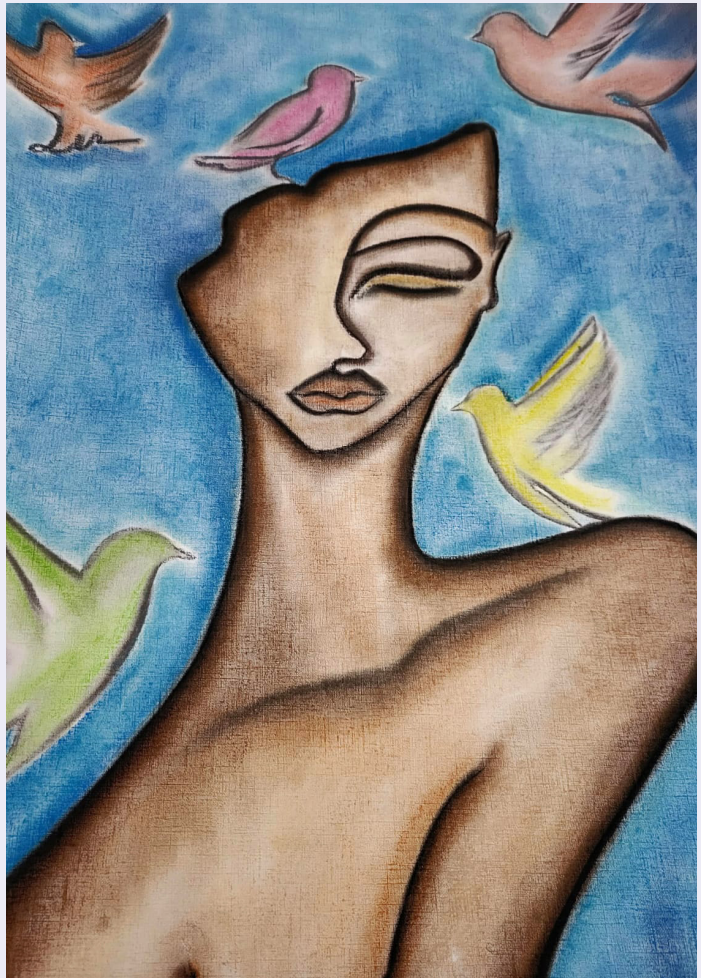
In 2016, the Australian and the US Governments reached a deal that would allow refugees held in PNG and Nauru to be resettled in the US. So far, just over 1,000 people have been resettled in the US.¹⁶ The deal allowed for 1,250 people to be resettled and with 1,900 people expressing interest, the program is at capacity.¹⁷

In March 2022, the Morrison Government agreed to a long-standing offer from New Zealand to permit 150 refugees who were held in offshore detention resettled every year for three years (450 people in total). To date, only around 30 people have been transferred under the agreement.

There are limited instances of people receiving protection and resettling in Canada and other European countries.

Between 2014-2018, the Australian Government entered a deeply flawed resettlement agreement with the Cambodian Government. However, of the seven refugees that relocated through this deal, only three remained in the country as of 2018.¹⁸

Once all existing pathways are filled, there will still be over 500 refugees that do not have any clear resettlement pathway.



Artwork: Mastaneh Azarnia

¹⁶ The Department of Home Affairs "Regional processing and resettlement" (2023). <https://www.homeaffairs.gov.au/about-us/what-we-do/border-protection/regional-processing-and-resettlement>

¹⁷ Department of Home Affairs "Question on Notice: SE23-434 - US resettlement process" (2023).

¹⁸ Kaldor Centre for International Refugee Law, "The Australia-Cambodia Refugee Deal" (2019). https://www.kaldorcentre.unsw.edu.au/sites/kaldorcentre.unsw.edu.au/files/Research%20Brief_Cambodia_Oct2019.pdf

Like so many other people who sought asylum by sea at the time, Qudratullah thought that the Rudd Government would uphold its international and moral responsibility to people seeking safety. For Qudratullah in particular, someone who worked in the Afghanistan Government and knew international law, he trusted the Australian Government.

“Because Australia is a member of the 1951 Refugee Convention, Australia has some responsibilities for asylum seekers and refugees, to follow protocol, to help them, protect them, process them, and resettle them. But unfortunately, Australia didn't do their responsibility for the refugees. They broke the international convention.

All the people that trusted Australia because Australia is a young nation you know, Australia is a safe country, and that is why I choose Australia, to be safe and to be settled there, and start my peaceful life over there.”

However, Qudratullah's trust was betrayed, and after seeking safety in Australia he was taken to the detention centre in Nauru. He stayed there for over seven years until he was transferred to the US in 2020.

Qudratullah was right that the Rudd Government, and the governments that followed, had responsibilities to people seeking asylum. However, these moral and international obligations have been disregarded by the Australian Government and have made Australia an international outlier, with a uniquely cruel policy that has been condemned since its implementation.

“The world knows about offshore detention, about what Australia did to refugees. The United Nations, the UN High Commissioner for Refugees (UNHCR), and other countries, all of them know about that offshore, because media and social media is an easy way.”

Qudratullah, like so many others who sought asylum, struggled against and resisted an inhumane system designed to harm. Even while referred to as a boat ID number, constantly surveilled and denied basic freedoms, he strove to have a positive impact.

“I served my community over there [in Nauru]. The Afghan community, as a leader of my community. I support them to not harm themselves, to not do anything wrong. I was working with them. Also, I worked with other communities - Iranian and multicultural communities.”

However, the pressures of detention caused irreparable harm. In Qudratullah's case, he developed Behçet's Syndrome, a rare blood disease that causes inflammation throughout the body and associated Deep Vein Thrombosis (DVT) in his left leg, three years into his time held in offshore detention. The blood clot that formed in his leg caused severe pain, which could not be treated in Nauru as the medical facilities were insufficient.

The Morrison Government at the time refused to evacuate Qudratullah to Australia to receive the urgent medical treatment that he needed. Some people were often taken from Nauru to PNG for treatment, however, this too was insufficient. Years after his DVT was diagnosed he was flown not to a hospital in Australia, but over 5,500 kilometres to Taiwan under a secret deal revealed in 2018, between the Australian government and Taiwan to provide medical care to people held offshore.¹⁹ When he arrived in Taiwan, Qudratullah described what occurred:

“They send me to Taiwan in 2019. The doctor in Taiwan told me it was 'too late'. The doctor said: 'Why didn't they send you earlier?'”

I got this disease in offshore detention. Even now still, I'm in America but I can't work because of this. The doctor here told me you cannot work. I have a truck licence I used to be a truck driver but the doctor told me: 'you can't drive long and you can't do heavy work.'

¹⁹ The Sydney Morning Herald, “Send them to Taiwan: Turnbull government's secret refugee deal revealed” by David Wroe (2018) <https://www.smh.com.au/politics/federal/send-them-to-taiwan-turnbull-government-s-secret-refugee-deal-revealed-20180622-p4zn7d.html>

Also here the doctor told me three times if I had got the surgery to open the veins it would be okay. They couldn't do it now, they said it is too late, why didn't they do anything in Australia? I don't know, that is the effect of offshore."

Due to the trauma and harm, Qudratullah is calling for compensation from the Australian Government, not just for himself, but for all those subjected to offshore detention.

"Don't damage lives, like my life. My life is in danger and I am at risk as well, nowadays because of this disease you know. I can't tell my sister that I am sick. I am not healthy, I'm not well, just I'm telling them lie, lie, lie, that I am well I am good, because they are worried about me. That is why the Australian Government damaged my life and put me in this situation. I request them that: don't do it again with other people.

Many people lost their life because of this policy. That was wrong. I know one guy, he is here living in the US, still he is not good, he has got mental problems from detention, I know him. Many people are mentally not good."

Even though Qudratullah has permanent residency in the US, what the Rudd, Abbott, Turnbull and Morrison Governments subjected him to continues to impact his life.

"Life is good for those people that haven't got any health issues... This is the land of opportunity, a real land of opportunity, whenever you work you do something for your life to be good.

But for me, no. Because the Australian Government put me in this situation. I tried to work hard to build my life like other people. But nowadays I can't. I can't work [due to my health], in the United States life is very hard when you don't work. It is very difficult and this is the big difficulties, challenges I faced in my life with this... rent and everything, friends support me."

Despite the health issues sustained while held by the Australian Government, Qudratullah still gives back to the community in the US.

"Nowadays I got the chance, to serve people newly arrived from Afghanistan, our country, they are here, the families, other young people, they don't understand English, they don't know about this multicultural place. I'm glad to support them and I'm working with them.

Even voluntary, even part-time, that's not important for me. I wish to serve them... now I got the chance again to serve, they are innocent people they left our country you know they are crying every day, for their relatives and families you know... you know they need support."

Qudratullah is also still in contact with others who were held in offshore detention, and knows that the harm caused by the Australian Government lingers. The call from Qudratullah and other refugees subjected to offshore detention is clear: never let this happen again, evacuate those who remain offshore, provide compensation and permanent resettlement.

"I want the Australian Government to follow and respect the international conventions, human rights, the United Nations' policies, and respect to the people, and rebuild the country and national value again.

I request, don't do it again with other people.

Think about those people who are harmed, in Indonesia as well, please help and support them."

Mardin Arvin's Story: PNG to Canada

The offshore detention policy is a massive human disaster. Even if, in the future, I find myself enjoying the best life, I cannot, nor will I, forget those eight years, during which **they destroyed my youthful energy and passion; something so completely unimaginable.**

Mardin Arvin,
Canada, 2023

Mardin Arvin is a refugee, human rights defender and writer, who was held by the Australian Government for eight years, six of those in PNG and two in Australia. In 2023 he resettled in Canada.

“Being granted permanent residency in Canada was wonderful. I can now plan for my future and it has given me the long-awaited opportunity to see my family again.”

Despite starting a new life in Canada, like many others who came to Australia, Mardin had formed close ties to the Australian community.

“I had developed great relationships in Australia at work and with friends, but it was also sad because I knew I couldn't stay there...I was in constant fear that the government would not renew my visa.”

Denied permanent resettlement, refugees held offshore, who have been evacuated to Australia, are held on short-term bridging visas, often only for six months. These visas have limited work rights, no study rights, and people are prevented from accessing mainstream social support.

Due to the visa only lasting six months, it makes daily and routine activities everyone else may take for granted, such as signing up for a phone contract or taking out a loan practically impossible.

“During the two years I was in Australia on a six-month visa, it was very difficult for me because, after eight years of torture and detention, I deserved a better visa... I was on a temporary visa for six months. That meant I had to stop working every six months and wait for my new visa to be approved.”

The precise number of people seeking asylum on bridging visas who lack access to work and study rights is unknown. However, most of the people who access ASRC's services hold a bridging visa. Out of every ten people, six are without work rights, seven are without study rights and eight have no source of income. These visas are designed to harm people and deny them their rights.²⁰

Living in Canada now, it is clear to Mardin that there are humane and practical alternatives to a decade of offshore processing.

²⁰ ASRC. “Poverty through policy The impact of excluding people seeking asylum from mainstream social support” (2023).

“Offshore detention has no place in asylum seeker processing. The country processing asylum seekers should process them on their own land, not involve a third-party government in the process. If cost plays a role in the scenario, the cost of maintaining refugees offshore has cost Australia billions of dollars. This makes no humanitarian or economic sense.

What is needed is a safe haven from the horrors of their past. They should be treated with kindness and understanding and have their processing occur as fast as possible; not be imprisoned indefinitely in detention lacking basic living or health facilities without trained staff.”

The refusal of the Australian Government to implement alternatives to offshore detention has cost lives. There have been at least fourteen deaths as a direct result of offshore detention, from the murder of Reza Barati in February 2014 and the death of Abdirahman Ahmed Mohammed seven years later, only a day after his birthday.

“When people seek asylum, they are already traumatised by the situation that drove them from their own country. They seek safety, care and loving, from human beings from the country whose people take them in.

The militarized prison environment of Manus & Nauru drove many young men to suicide and self-harm. From arrival offshore, they were immediately dehumanised and incarcerated. No adequate living facilities, care or health services were provided.”

After a decade of harm, enacted by governments that sought to use people in political games at the cost of human rights, Mardin is clear on what is needed.

“End offshore detention! It has resulted in too many deaths and serious illnesses which could well have been prevented. Their deaths are on Australia's conscience and will forever remain their responsibility.

Bring all remaining refugees and asylum seekers currently in Papua New Guinea and Nauru to Australia, while their future is determined.”



Mardin Arvin

Human Rights Abuses under the Australian government

The offshore detention regime started by the Rudd Government has resulted in murder, numerous reports of violence, assault, rape, beatings, theft, intimidation, torture, harassment of women, children and men.

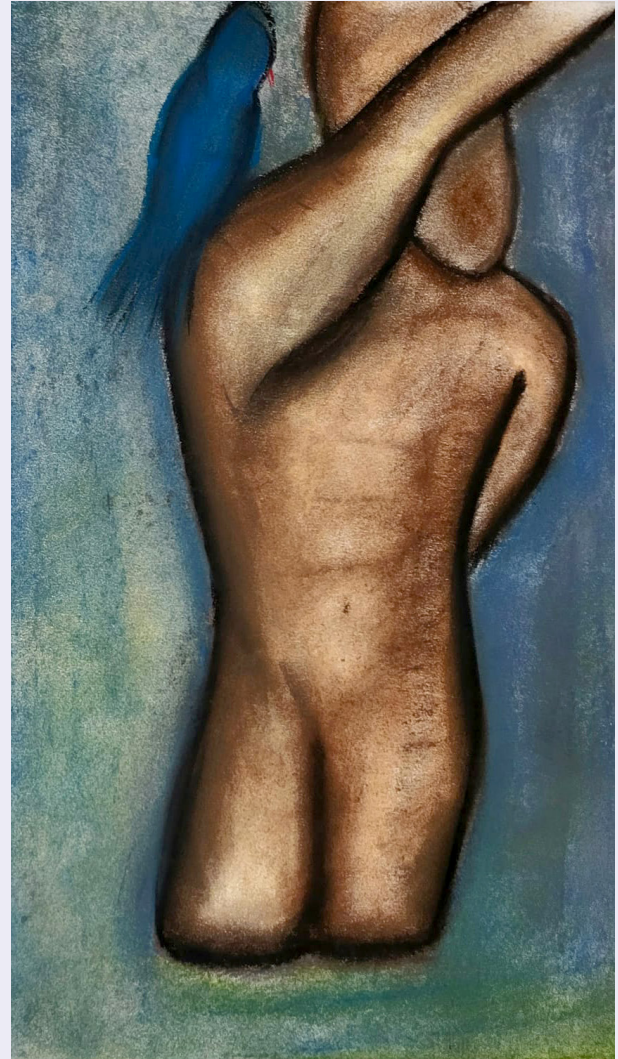
Some of these abuses have been documented by the federal government itself, through independent reviews such as the Moss, Doogan and Hamburger reviews,²¹ Senate inquiries, such as the 2017 inquiry into serious abuse offshore,²² as well as the reports from organisations such as Amnesty International and the Australian Human Rights Commission.²³

These reports provided a platform for refugees to expose abuses that are so horrifying and repellent that most people in the community struggle to comprehend them, perhaps because they are so outside of what we think the Australian Government is capable of. Perpetrators have often escaped justice, and the Australian Government continues to avoid responsibility.

The most infamous example of this came on the night of 16 February 2014, when 24-year-old Reza Barati was murdered by detention centre staff with a spiked club and rock at the Manus Island detention centre. Two local men were later charged with the murder. However, a witness said that Australian expatriates were also involved but these guards left PNG and escaped justice.²⁴

Crimes were also extended to the people of the countries Australia was using to host their cruelty. In 2015 Australian security guards allegedly raped a PNG woman and were flown to Australia the morning after the incident, and never faced accountability.²⁵

Refugees and people seeking asylum have reported hundreds of alleged abuses to ASRC caseworkers over the years. From guards in Nauru using their power to rape and physically assault women and children, to medical professionals failing to provide basic care. The blame still lies with the Government in power at the time, who had a duty of care that they not only failed to uphold but often completely and deliberately disregarded.



Artwork: Mastaneh Azarnia

- 21 The Department of Home Affairs, "Independent Reviews - Regional Processing Centre in Nauru" (2023). <https://www.homeaffairs.gov.au/reports-and-publications/reviews-and-inquiries/departmental-reviews/independent-reviews-regional-processing-centre-nauru>
- 22 Senate Standing Committees on Legal and Constitutional Affairs "Serious allegations of abuse, self-harm and neglect of asylum seekers in relation to the Nauru Regional Processing Centre, and any like allegations in relation to the Manus Regional Processing Centre" (2017). https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/NauruandManusRPCs
- 23 Amnesty International, "This is Breaking People" (2013). <https://www.amnesty.org/en/documents/asa12/002/2013/en/>; The Australian Human Rights Commission, "Forgotten Children Report" (2014). https://humanrights.gov.au/sites/default/files/document/publication/forgotten_children_2014.pdf
- 24 Department of Immigration and Border Protection, "Review into the Events of 16-18 February 2014 at the Manus Regional Processing Centre" Robert Cornall AO (2014). <https://www.homeaffairs.gov.au/reports-and-pubs/files/review-robert-cornall.pdf>
- 25 The Guardian, "Exclusive: woman allegedly raped in Manus detention centre accuses Transfield of cover-up" by Ben Doherty (2015). <https://www.theguardian.com/australia-news/2015/aug/27/exclusive-woman-allegedly-raped-in-manus-detention-centre-accuses-transfield-of-cover-up>

Mohammad's Story: Nauru to Canada

I am here in Canada. I am very happy.

You may have broken many people, but not me and not others.

Mohammad,
Canada, 2023

Mohammad (not his real name), was in his mid-twenties when he attended a protest in Iran. Not long after the Iranian authorities found and detained him. Worried about his family's safety he escaped to Indonesia. Mohammad recounted his journey to Australia and his removal to Nauru:

"My girlfriend arrived in Indonesia and we registered with the UN in 2012.

Quick interview, but wait a long time.

I felt responsible.

I met Iranians who were connected with a smuggler. I decided to go on the boat to Australia.

Didn't pay anything at the start. Smuggler arranged a van. Took us to a city. We were in the back of a big truck. My girlfriend fainted. Some people vomited. Stopped in the middle of nowhere.

There was a village, with so many refugees. The experience was very crazy. One toilet, horrible situation. Midnight, bring a truck, let's go.

Went to the seaside. Have to go through the jungle to reach the sea, a 45-minute walk.

100 people, bags, no light.

When we reached the beach, no boat.

Went back to the jungle.

Stayed in the jungle for three days - then the boat is broken, no food, rain, with children six-months-old.

Used trees to make a shelter. Local people bring food on leaf and give it to us.

The boat not coming, you have to go back to Jakarta.

Smuggler not answering [the phone]. Then smuggler provided another truck. On the way I said stop here I want to get out, I can't continue.

Tried to walk. Hitched. Got a bus. Went to Jakarta. Angry at smuggler. Smuggler apologised and organised an apartment. Took us to the beach.

I was the first person to get in the boat, to try and get a good spot.

The boat was full of people. Some people jumped out of the boat, it was too dangerous.

It was very risky. Not the boat that the smuggler had shown us. I bought two good quality life jackets. After three days, saw Christmas Island.

Whoever said they are sick, did not go to Nauru. They took the healthiest people. It is clear the Australian Government planned to do that, which is horrible. Proof of the obvious abuse.

I stayed in Nauru.

Lady hanging [herself], I just lifted her up. Security came, an ambulance came.

The day she was accepted for resettlement, she thanked me for saving her.”

Mohammad was held in offshore detention until 2022 when he was resettled in Canada. While he is now permanently resettled, he is still recovering.

“Now I'm living in this country [Canada] I realise what Australia has done to me. Now I'm trying to do something, but I can't. I'm trying to study.

[The Australian Government] took my life, my dreams, and everything. I am still trying to push myself not to think about what happened to me. It affects my family - my family are suffering in Iran... they (the Australian government) took my life, and it affects me physically and mentally.

Mohammad resettled in Canada through Operation #NotForgotten, which was established in 2019 to provide a resettlement pathway in Canada under the country's private refugee sponsorship program. This community-led response focused on those excluded from the US resettlement program and as of April 2023, 32 refugees have started rebuilding their lives in Canada.²⁶

“I am free, there is no security on me. I can find a job. I am someone. I have ID. I can plan for my life, future and dreams. I'm proud of myself, I am confident.”

Canada is an example - they let people come in. They open more offices where refugees can be assessed, with more benefits. Make things easier for refugees - so people do not think to come by boat. Australia has a bad name. We think people don't like us, but it's not true. The people are very nice. ”

Currently working as a mechanic, Mohammad strives to make a good life for himself and enjoy his freedom.

“I work six days, 8 am-6 pm. I push myself. I don't like to sit at home. In my imagination, I am not the person I want to be. I tried dating. I was talking to one lady. But in order to be in a good relationship, I have to sort myself out.

I want to buy my own house... I want to share and rent out the rooms. I want to drive a fancy car...

I value freedom now. I relax, with no stress. I plan for my day and life. I can see the result of my efforts.”

Mohammad is acutely aware of how his life was used by the Governments of Rudd to Morrison for political gain. While the Australian Government tries to distance itself from what it inflicted on people who have found permanent resettlement, the impact of offshore detention endures.

“The Australian Government used us, they did that for their benefit. We can continue our life if we have something in our hands. I was counting on that, I don't want to depend on anyone, I wanna stand on my feet. But if the government can help, that would help a lot.”

Mohammad can also see the changes underway in Australia, the slow movement away from the politics of fear and manipulation that led to the creation of offshore detention.

“The world needs to see how Australia treated us that way. This new [Albanese] Government is making lots of changes. But the world needs to see what these people are doing and find a solution.

We need more understanding, compassion and welfare around the world. If you encourage people you get more out of them, more than torturing them.

My message to the Australian government is: spending billions to abuse and torture people, but they didn't break me. And many others who are doing well. After this journey, they didn't deserve me, I deserve a better place. I am sad about what happened, but I am happy I made it.”

26 Refugee Council of Australia, “Support a lifeline to Canada for refugees with nowhere to go” (2023). <https://www.refugeecouncil.org.au/canada/>

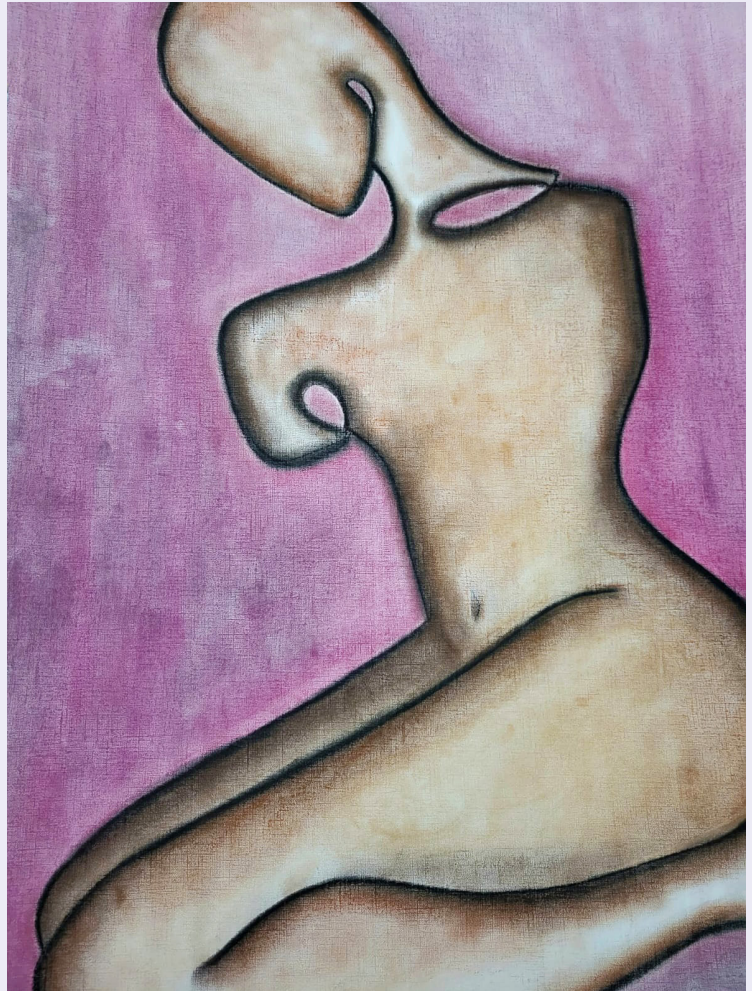
The Nauru Files²⁷

In 2016, more than 2,000 incident reports from Nauru were leaked to The Guardian by a whistleblower, in what came to be known as *The Nauru Files*.

These reports documented horrific human rights abuses spanning from 2013 to 2015, on average an incident report was filed every two days over the period, more than half involving children.

The individual reports provide a small insight into the horror of offshore detention, with women being coerced into sexual acts by guards in exchange for favours; assault of children, including the sexual assault of children as young as ten-years-old; and denial of basic needs such as sanitary pads and bathrooms, being served rotten food and housed in bug-infested facilities.

The Nauru Files only covered less than three years out of the decade of offshore detention and were only from Nauru, yet provided a glimpse into a cruel and terrifying system.



Artwork: Mastaneh Azarnia

²⁷ The Guardian, "The Nauru files: cache of 2,000 leaked reports reveal scale of abuse of children in Australian offshore detention" by Paul Farrell, Nick Evershed and Helen Davidson (2016). <https://www.theguardian.com/australia-news/2016/aug/10/the-nauru-files-2000-leaked-reports-reveal-scale-of-abuse-of-children-in-australian-offshore-detention>

Abdul Aziz Adam's Story: PNG to Switzerland

I think the world needs to know the reality, the truth about offshore detention... I mean they designed, actually designed a system based on torturing and destroying psychologically people like us. The world needs to know the reality.

Abdul Aziz Adam,
Switzerland, 2023

"We are introduced to you in a way that produces animosity and fear in your mind, while the real picture of our lives is concealed and we don't know how to get it back." Abdul Aziz Adam, Manus Island, PNG, 2018

For ten years Australian Governments tried to keep the horrors of offshore detention and those subject to it out of the public eye. Dehumanisation and preventing people affected from speaking out were key to maintaining the regime established on July 19, 2013.

People who sought asylum by sea were not just denied their rights, but the world has been denied the skills, gifts and talents of refugees who could make an extraordinary contribution to the community.

Abdul Aziz Adam was held for seven years in offshore detention in a system he said was "designed to victimise." However, he has triumphed, and will soon graduate with a Bachelor of International Relations majoring in Political Science from the University of Geneva, Switzerland.

"It's one of the dreams that I kept since I was on Manus Island: I want to finish university. I took my last exam last week, which ended my journey. I took a nap when I woke up and I said to myself: "I can't believe this is the same Aziz who was detained on Manus Island for almost seven years and managed to come to this beautiful country, learn a new language and finish university.

I was just wondering what would happen if all the refugees and asylum seekers detained on Manus Island and Nauru managed this kind of opportunity. What impact would we have on Australia on a political or cultural level? Especially when it comes to the decision-making table. What impact are we going to have, even using our personal experience? I strongly believe that offshore detention is not a permanent solution to the migration crisis, there must be alternative and sustainable solutions. We all have a crucial role to play here whether refugees or migrants, civil society, and the government."



Abdul Aziz Adam

Abdul Aziz Adam's Story

Abdul Aziz was a young man when the Australian authorities found him seeking asylum by sea in Australia, on October 13, 2013. Fleeing Sudan to find safe refuge and build a better life, Abdul Aziz could not have known what lay ahead of him.

“When you get on that boat, you don't have a destination... all you know is that you're running away from the perpetrators and looking for an option or way out. Even if it means putting your entire life at risk or entrusting your future to a stranger. That's what I call the determination to seek protection.

We were eventually rescued by the Australian Navy. I had the strongest feeling that our future was about to begin at that very moment. When we were intercepted, I acted as interpreter for all the asylum seekers on the boat... and even for one of the young women, who suffered from chronic heart disease; she ended up being very ill at night and I was asked to help her.”

Like many others who sought asylum, the actions of the Rudd and Abbott Governments in the early years of offshore detention were plainly in breach of international law and human rights standards, many people could not fathom what was transpiring.

“I thought we arrived in a country of freedom and it's one of the Western liberal democratic countries that protects and rescues people fleeing persecution. A country that was built by migrants and known for its welcoming hospitality, generosity, etc. All those dreams and hallucinations that we had about Australia turned out to be completely different, we found the opposite... we didn't find that welcoming country nor the hospitality, but rather a country that repelled those who came by boat.”

Abdul Aziz was taken to the detention centre on Manus Island. His experience was a haunting tale people in Australia may only ever hear parts of.

“From 21 to 25 or 26, I think it's an age when you're trying to adapt, from life as a teenager to life as a man, woman, or other genders. We call it the golden age, but unfortunately, the Australian Government has stolen it from us, by putting us in cages on remote islands out of sight and out of mind.

You don't even know when your birthday is. Sometimes you realise that it's been a few months since your birthday. Sometimes people remind you, somewhere in Australia or other parts of the world, that today is your birthday. That's how the impact of offshore detention centres is.”



Abdul Aziz Adam

Abdul Aziz was one of the very few people subjected to offshore detention who found permanent resettlement in Europe, namely Switzerland. While it took time to adjust to his new home, Abdul Aziz never stopped exposing the injustice and cruelty of offshore detention.

"I ran from corner to corner, meeting with different NGOs, country representatives at the UN, etc, plea after plea, to make sure that Manus Island and Nauru would be closed forever.

I started this journey on Manus Island two weeks after my arrival. We started gathering everyone in the centre, especially the community leaders to discuss our future. Today, it's been almost ten years. I've never stopped not even for a second talking about the violations, and injustices that we faced, and some are still facing."

Abdul Aziz is advocating for the Australian Government to evacuate the remaining 80 people held in PNG and to acknowledge and make reparations for the damage it caused.

"All I can say is that we will seek a Royal Commission, whether it's today, tomorrow, or the next day, as long as we're alive.

I think [the Albanese Government] needs to restore Australia's reputation... [The Australian Government] can no longer criticise anyone, because of what it has done to refugees in offshore and onshore detention centres. Today, many are saying that 'we won't take any lessons from the Australian government. Don't forget that you detained people for ten years and people died on your watch or were tortured on your watch. People committed suicide and harmed themselves in detention."

The thousands of people who sought asylum by sea after July 2013 and were forced into dangerous detention centres and denied indefinitely separated from their families, have had ten years of their lives stolen, causing devastation for them and their communities. While Abdul Aziz has built a successful life in Switzerland, he will not stop his search for justice.

"Whether you are fighting for gender rights, climate change, injustice, migration, refugees, asylum seekers, and stateless people. At the end of the day, we all come under one umbrella - which's making the world a better place for everyone."

The world is watching

The Rudd through to the Morrison Government's cruelty towards refugees makes Australia a global outlier. Numerous countries and human rights organisations have condemned Australia's policy of offshore detention.

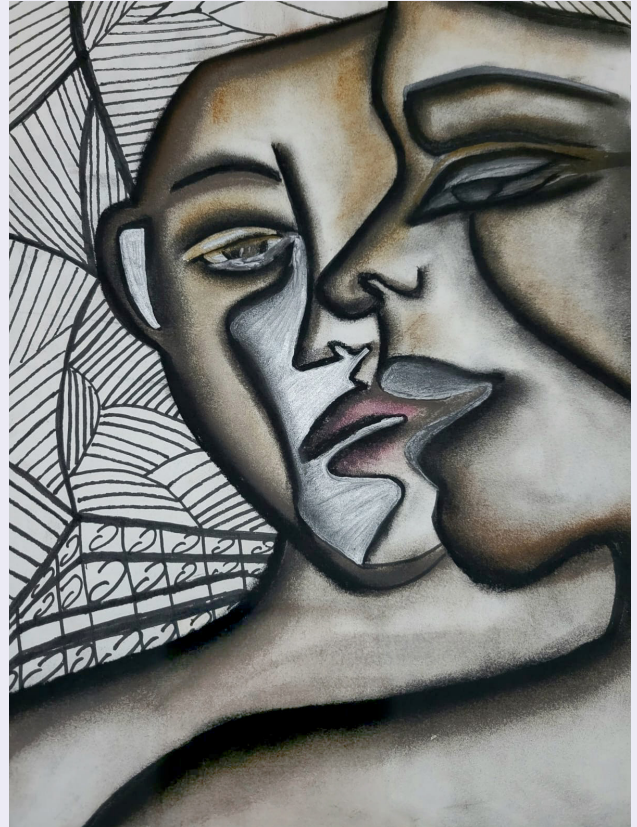
The UNHCR raised concerns about offshore detention even before the July 19, 2013 announcement. However, in the UNHCR's following report from October 2013 on both Manus Island and Nauru detention centres, the critique was clear: "The UNHCR was disappointed to observe that the current policies, conditions and operational approaches at the [regional processing centre] do not comply with international standards."²⁸

The UN special rapporteur on torture, Juan Mendez in 2015 explicitly denounced Australia's actions and said Australia "violated their [the refugees held offshore] right to be free from torture or cruel, inhuman or degrading treatment."²⁹ Condemnation has been made by other officials, such as the current UNHCR chief Filippo Grandi.³⁰

The rights and treatment of the people held offshore were also of concern to governments around the world. In 2016, more than 100 countries criticised Australia's human rights record in the UN Human Rights Council's Universal Periodic Review. Countries as diverse as Sweden, North Korea, Iran, Slovenia and others criticised Australia's detention policy.³¹

Even Australia's closest allies were sceptical. The US official under the Obama administration responsible for negotiating the resettlement agreement with Australia later said the "well-being of 2,000 actual human beings hangs in the balance," clearly expressing the US government's disapproval of offshore detention.³² Yet another indication of the unique cruelty of Australia's offshore policy.

Concerningly, offshore detention and processing have been embraced by far-right wing, nativist and neo-Nazi political movements.³³



Artwork: Mastaneh Azarnia

- 28 UNHCR, "UNHCR monitoring visit to Manus Island, Papua New Guinea 23 to 25 October 2013" (2013); UNHCR, "UNHCR monitoring visit to the Republic of Nauru 7 to 9 October 2013" (2013).
- 29 United Nations Human Rights Council, "Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment," (2015). <https://static.guim.co.uk/nl/1425873116713/Mendez-report.pdf>
- 30 University of Melbourne, "UN High Commissioner for Refugees gives only Australian public address at Melbourne Law School" (2023). <https://www.unimelb.edu.au/newsroom/news/2023/april/un-high-commissioner-for-refugees-gives-only-australian-public-address-at-melbourne-law-school>
- 31 UN Human Rights Council "Report of the Working Group on the Universal Periodic Review" (2017). <https://www.ag.gov.au/sites/default/files/2020-03/UPR-Report-of-the-Working-Group.pdf>
- 32 The Times, "You Probably Missed the Big Story Buried in the Latest Trump Leaks" by Heather Higginbottom (2017). <https://time.com/4894058/donald-trump-malcolm-turnbull-refugees-famine/>
- 33 The Guardian, "How Europe's far right fell in love with Australia's immigration policy" by Sasha Polakow-Suransky (2017). <https://www.theguardian.com/world/2017/oct/12/how-europes-far-right-fell-in-love-with-australias-immigration-policy>; The Nation "Australia's Brutal Refugee Policy Is Inspiring the Far Right in the EU and Beyond" by Antony Loewenstein (2018). <https://www.thenation.com/article/archive/australias-brutal-refugee-policy-inspiring-far-right-eu-beyond/>

Son Pham's Story: PNG & forcible return to Vietnam

Many people were there and they were going through a lot of difficult times and difficult circumstances and then some people who were able to endure it they stayed, and some people who couldn't take it anymore **they didn't have any other choice but to return to their countries.**

An anonymous refugee,
PNG, 2023

"There are new rules in place under this government so I urge you to think carefully about your next decision... to not remain here and take the option to go back to the country from which you've originally come... If you choose not to go home then you will spend a very, very long time here..." - Scott Morrison, Australia, 2014³⁴

Faced with tortuous conditions while held offshore, Governments from Rudd to Morrison have forced people fleeing violence and persecution back to the countries they escaped.

Over 780 people have been returned to the country they fled, including to places with ongoing conflicts.³⁵ Once someone has been returned, the Australian Government does not maintain contact with them or monitor their situation. Without oversight, the stories of hundreds of people returning to the places they fled, often disappeared from the public eye.

People have bravely shared their stories after being returned, such as Samad Howladar, a refugee coerced into returning to Bangladesh where he was attacked,³⁶ as well as Zainullah Naseri, who was kidnapped and tortured by the Taliban only days after being returned to Afghanistan, in what the Department of Home Affairs described as "very unfortunate."³⁷

However, most people who returned to a country they fled due to fear of persecution are never heard from by the Australian community again.

One of the people who sought asylum in Australia and was exiled to the detention centre on Manus Island, only to be forcibly returned to the country he fled was Son Pham. A refugee still held in PNG remembered Son Pham from years ago when they shared the same compound in the Manus Island detention centre.

"Delta was the smallest compound of all four - there was Foxtrot, Mike, Oscar and Delta - because Delta was the smallest compound, everybody knows everyone and we could see each other all the time around, from the shipping containers. Each container has three rooms in it, and the room would be like two-and-a-half metres, and then they put four people in one room."

The memory I have of [Son Pham], is that I used to meet him in the gym when we used to go for exercise,

34 The Guardian "Morrison: asylum seekers should go home or face 'very, very long' detention" by Oliver Laughland (2014). <https://www.theguardian.com/world/2014/jun/25/morrison-asylum-seekers-should-go-home-or-face-very-very-long-detention>

35 Department of Home Affairs, "Question on notice SE23-433" (2022).

36 The Guardian "Deported to danger and death: Australia returns people to violence and persecution" by Ben Doherty and Nell Geraets (2020). <https://www.theguardian.com/australia-news/2020/dec/14/deported-to-danger-and-death-australia-returns-people-to-violence-and-persecution>

37 The Saturday Paper "Taliban tortures Abbott government deportee" by Abdul Karim Hekmat (2014). <https://www.theguardian.com/australia-news/2014/oct/28/australia-to-forcibly-return-second-afghan-hazara-despite-fears-over-safety>; Department of Home Affairs, "FOI Request: fa-14120070" (2015). <https://www.homeaffairs.gov.au/foi/files/2015/21082015-fa-14120070.pdf>

and he's always laughing and smiling. He used to, you know, have another friend I think from Vietnam as well, and they were both returned back to Vietnam, they used to be inseparable. They were good friends, they were eating together, staying together all the time.”

In February 2017, Son Pham was threatened with forced removal back to Vietnam, where he fled years earlier. Speaking to the ABC at the time, Son Pham said: “I'm very scared now, I don't know what will happen to me in the next few days... If they deport me, who is responsible if the police arrest me and kill me in prison?”³⁸

Under international law, no country can delegate the processing of protection claims to another country. The UNHCR affirmed this in 2017 and stated that the Australian Government had effective control over offshore detention centres.³⁹ Despite this, the Australian Government tried to abdicate its responsibility and pressure the PNG and Nauruan Governments to process protection claims of a scale and complexity not attempted before.⁴⁰

Despite Son Pham fearing for his life, he was forcibly removed from PNG and returned to Vietnam. Reportedly planning to sue the Australian Government for his treatment, Son Pham was tragically killed in Vietnam, following a stabbing attack.⁴¹

“He [Son Pham] was persecuted in Vietnam, the Australian Government should have, you know, looked after his case in a different manner, they should have provided him with an opportunity to have an interview and to resettle him as a refugee, and that could have prevented his death. He has been always cheerful you know, you could always see him smiling, laughing all the time.”

If the government was treating refugees humanely like they should have, you know nothing like that would have happened. Australia is a big country, it's not like Iraq or Somalia or any other country and if they resettled us in Australia it's not going to cause any issues or any problem... and this guy even though he returned to Vietnam and he was subject to persecution, he didn't have any choice so he had to return.”

Son Pham's death and the hundreds of untold stories of invisible people, were avoidable. Their lives will not be forgotten. While Son Pham was forced to return directly by the Turnbull Government, many others were forced to return due to the appalling conditions in offshore detention under the Australian Government's control.

The refugees still held in PNG know the arbitrary and violent atmosphere of offshore detention, one that can force people to return to persecution.

“[I] remember when the protest and demonstration occurred in the camp in 2014, I think it was when Barati was killed.

We went and spoke to the security guard and we told them that we are 11-15 people who don't want to participate in the protest and to be transferred to an empty compound. So they moved us to this empty Chauka compound (Chauka compound was notorious, a secret isolation unit where “misbehaving” asylum seekers were taken as part of the Manus ‘Behavioural Modification Program.’)

We stayed there for about ten days. During that time all the people who participated in the protest were bashed and assaulted and then after they came, they took me to prison and put me in prison for seven days with the people they were accused of organising and participating in the protest and I had nothing to do with it.

I don't know if I would be able to forget all these horrible things that we went through but I think it is going to remain with you forever...”

38 ABC “Manus Island asylum seekers plead for help with deportations looming, amid Senate debate” by Eric Tlozek and Stephanie Anderson (2017). <https://www.abc.net.au/news/2017-02-14/manus-island-asylum-seekers-removal-to-be-debated-in-senate/8266626>

39 United Nations Human Rights Committee “Concluding observations on the sixth periodic report of Australia” (2017). <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkGId/PPRiCAqhKb7yhsoAI3/FsniSQx2VAmWrPAOuA3KWOKkpmSGOueI5UG42EodNm2j/nCTYghclKM8Y/LQ4n6KZBdggHt5qPmUYCI8eCsiXZmnVIMq/oYCNPyKpg>

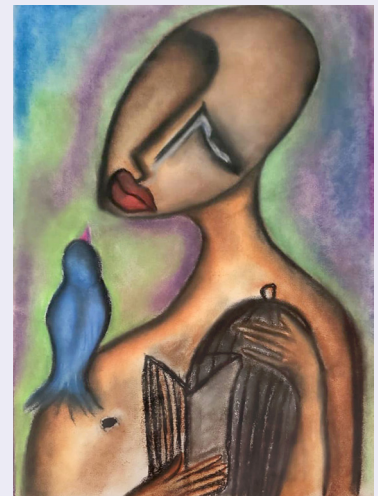
40 The Kaldor Centre, “Offshore processing: refugee status determination for asylum seekers in Nauru” by Madeline Gleeson (2017). <https://www.kaldorcentre.unsw.edu.au/publication/offshore-processing-refugee-status-determination-asylum-seekers-nauru>; The Kaldor Centre, “Offshore processing: refugee status determination for asylum seekers on Manus Island, Papua New Guinea” by Madeline Gleeson (2017). <https://www.kaldorcentre.unsw.edu.au/publication/offshore-processing-refugee-status-determination-asylum-seekers-manus-island>

41 SBS, “Former Manus Island detainee ‘killed in Vietnam’ after being returned to homeland” by Nick Baker and Maani Truu (2019). <https://www.sbs.com.au/news/article/former-manus-island-detainee-killed-in-vietnam-after-being-returned-to-homeland/7qfjki9r>

The lives lost to offshore detention

The community cannot forget and the government cannot ignore the disturbing truth, that at least 14 people have died as a direct result of offshore detention. As with Son Pham, many people who sought safety lost their lives, and the the Australian government has not acknowledged them. However 14 men, will always be remembered by their families, friends and community. They are:⁴²

1. **Reza Barati**, at 24 years old, was murdered by detention centre staff at the detention centre on Manus Island, on 17 February 2014.
2. **Sayed Ibrahim Hussein**, drowned on Nauru, with a local Nauruan also dying trying to save him, on 22 June 2014.
3. **Hamid Kehazaei**, at 24 years old, had cuts on his foot while held at the detention centre on Manus Island, that would later develop into septicaemia. He was eventually evacuated to Australia several days after doctors first recommended his transfer – where he was declared brain dead on 5 September 2014.
4. **Omid Masoumali**, at the age of 23 died in Australia after a self-immolation attempt on Nauru on 29 April 2016. It was found by the coroner he could have survived if he was evacuated earlier.
5. **Rakib Khan**, at the age of 26 died following a series of heart complications on Nauru, on 11 May 2016.
6. **Kamil Hussain**, at 34 years old drowned on Manus Island near a waterfall, on 2 August 2016. The Turnbull Government initially refused to help repatriate his body.
7. **Faysal Ishak Ahmed**, 27 years old, died after falling down a staircase at the Manus Island detention centre, having been denied adequate medical assistance, on Christmas Eve 2016.
8. **Hamed Shamshiripour**, at the age of 32 died from a suspected suicide, following well-known deterioration in his health in Manus Island, on 7 August 2017.
9. **Rajeev Rajendran** at the age of 32 died in a suspected suicide on Manus Island, on 2 October 2017.
10. **Jahingir**, at the age of 29 was hit by a car while on Nauru, on 2 November 2017.
11. **Salim Kyawning**, at 26 years of age was hit by a car in a suspected suicide on Manus Island, on 22 May 2018.
12. **Fariborz Karami**, at 26 years of age committed suicide on Nauru, shortly after his wedding, after years of concerns over his mental health, on 15 June 2018.
13. **Sayed Mirwais Rohani**, a multi-lingual doctor at 32 years of age, died after being evacuated from PNG due to his mental health, on 17 October 2019. Similar to Kamil Hussain the Morrison Government refused to assist with the repatriation of his body.
14. **Abdirahman Ahmed Mohammed**, suffering from multiple health issues, died after being evacuated from PNG, a day after his 39 birthday on 15 February 2021.



Artwork: Mastaneh Azarnia

42 Human Rights Law Centre, "#TenYearsTooLong: Timeline" (2023). <https://www.hrlc.org.au/timeline-offshore-detention>
The Guardian, "Deaths in offshore detention: the faces of the people who have died in Australia's care" by Ben Doherty, Nick Evershed and Andy Ball (2018). <https://www.theguardian.com/australia-news/ng-interactive/2018/jun/20/deaths-in-offshore-detention-the-faces-of-the-people-who-have-died-in-australias-care>

Ending the politics of fear

Over the past decade, refugees and the community, through exposing abuses and advocating for change, have slowly chipped away at the regime of offshore detention.

In August 2018, there were over 100 children held in Nauru, denied their basic human rights. The #KidsOffNauru campaign was launched, with a poll finding nearly 80 per cent of the public wanted children who sought safety in Australia off Nauru and provided permanent resettlement.⁴³ Within six months of the campaign launching, all children were transferred off Nauru.

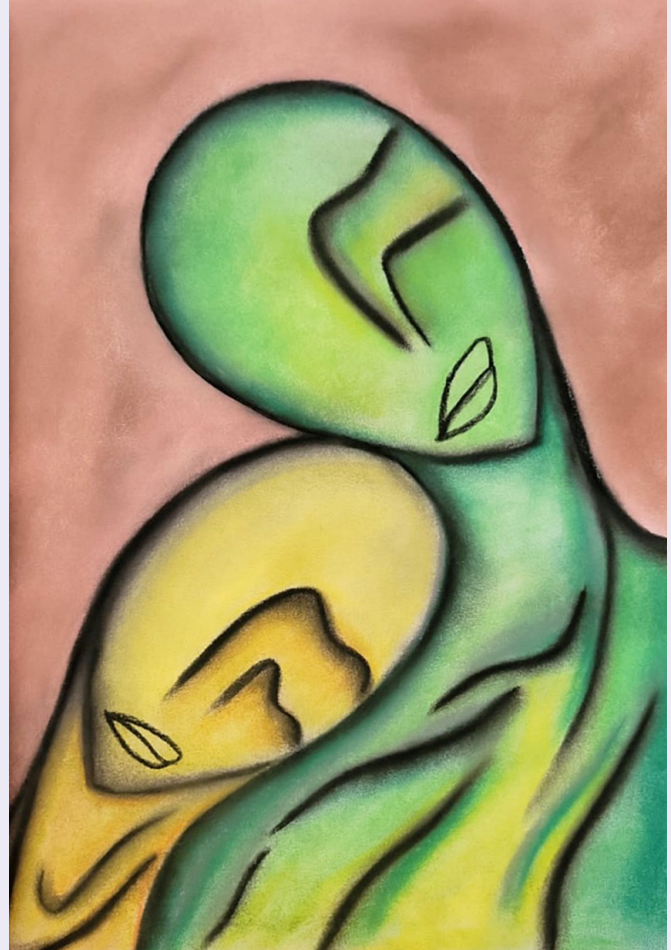
In March 2019, the 'Medevac' Bill became law, providing critically sick refugees held in offshore detention a pathway to be transferred to Australia for urgent medical treatment, despite the Morrison Government's opposition. While this law was repealed in December 2019, hundreds of people were medically evacuated to Australia under this legislation.

In March 2022, the Morrison Government was forced to accept a long-standing offer from the New Zealand Government to resettle people held offshore.⁴⁴

In 2022, after sustained advocacy from refugees and the community, the Medevac cohort were finally released from onshore closed detention and hotel detention facilities, into the Australian community.

These victories, along with the persistent resistance from people impacted by the policy, in June 2023 led to the final person to be evacuated from Nauru arriving in Australia, leaving behind an empty detention centre.

While people subjected to offshore detention are still denied their rights, the victories against the cruel regime established on July 19 are mounting. Only continued pressure will bring an end to an era of fear and division.



Artwork: Mastaneh Azarnia

43 The Daily Telegraph "Voters urge PM to 'save the children' of Nauru" (2018) <https://www.dailytelegraph.com.au/news/nsw/poll-coalition-could-boost-election-chances-by-accepting-nz-deal/news-story/82ae80d56d2e957ea4e0083a7d523d8b>

44 SBS "Australia-New Zealand refugee deal: More than a dozen people to be resettled by the end of the year" by Tom Canetti (2022). <https://www.sbs.com.au/news/article/australia-new-zealand-refugee-deal-more-than-a-dozen-people-to-be-resettled-by-the-end-of-the-year/lawiOztay>

Conclusion

Take me out of this place. I have been physically, and mentally tortured. I have been here a long time, nothing good comes out of this place, **take me to a better place than here, I can't handle more than ten years.**

Abdi Adan Muse,
PNG, 2023

Ten years ago, the Rudd Government used refugees as political pawns by sending thousands of men, women and children to brutal offshore detention camps, separating them from their families and denying them basic rights. This was part of a political strategy, which failed Rudd and would fail every Government that tried to employ it, including Morrison who desperately sent voters text messages to fear-monger over refugees on the day he was elected out of office.⁴⁵

The Albanese Government now sits at a crossroads, it can choose to continue an era of cruelty and division by holding people offshore, denying resettlement for all and preventing truth-telling, or it can listen to refugees and a community that are calling for justice and a more humane country for everyone. This can be achieved if the Government:

1. Immediately offer all people remaining offshore urgent evacuation to Australia.
2. Provides permanent resettlement to all people subjected to offshore detention.
3. Establish a Royal Commission into offshore detention.

“Finish this crisis.”

- *Qudratullah Qhausi, United States, 2023*

⁴⁵ Australian Financial Review, “Morrison blamed for election day asylum seeker stunt” by Phillip Coorey (2022). <https://www.afr.com/politics/federal/boats-for-votes-morrison-blamed-for-election-day-asylum-seeker-stunt-20220722-p5b3ow>



This paper is tributed to the
courageous people who died as
a result of offshore detention.

They will be remembered.

For more information please contact: sam.b4@asrc.org.au
Asylum Seeker Resource Centre, PO Box 2381 Footscray VIC 301

The ASRC would like to acknowledge the Wurundjeri and Bunurong people of the Kulin Nation as traditional owners and custodians of the land on which the ASRC stands. We acknowledge that the land was never ceded and we pay our respect to them, their customs, their culture, to elders past and present and to their emerging leaders.