Frequently Asked Questions - **#KidsOffNauru**

Q. Who is behind the #KIDSOFFNAURU campaign?

A. This campaign belongs to everyday people and any Australian organisation who believe we should put children first in the asylum seeker and refugee debate. The campaign was initiated by World Vision Australia. Campaign resources can be found at <u>www.kidsoffnauru.com</u>, and are free for anyone to use.

Q. What does the #KidsOffNauru campaign want? What is the solution?

A. The Australian Parliament must act to bring every child and their family to Australia by Universal Children's Day, on November 20. They should be either resettled in Australia or in another suitable country which welcomes them. Children in detention should not be discriminated against and must be given a fair chance for survival and development. All decisions taken about offshore, indefinite detention must first and foremost consider the best interest of the child. This is to ensure that these children will be able to face their futures with certainty and finally start to pursue their hopes and dreams.

Whatever the solution, locking up children is not it.

Q. But Peter Dutton, the Minister for Home Affairs said in 2016: "I've got every child out of detention"?

A. At the time the ABC Fact Check Unit concluded that this claim was 'debatable' [1]. This is in fact, a misleading comment by the Minister, designed to hide the fact that Australia still have children in detention.

There are 124 children in detention on Nauru. Twenty children are still behind bars. The rest are not allowed to leave this tiny island the size of Melbourne Airport.

The truth is, until they are free to leave Nauru, they are still being detained!

Q. Why are the conditions unsuitable for children detained on Nauru?

A. In 2016, more than 1,000 leaked incident reports involving children were reported by the Guardian [2]. Nauru is an unsuitable environment for children in detention. Many have grown up in the abnormal environment of fences and security guards, their whole life. They are growing up separated from extended families such as aunts, uncles and grandparents. Access to toys and normal "childhood stuff" is limited. They have no access to quality healthcare when they are sick. There are limited safe or pleasant places to play because of unshaded, hot phosphate rock and the fear of wild dogs on the island.

At the heart of this deliberately cruel situation is that children and their families are not free to leave.

Q. Is the Australian Government breaking any international laws by locking up children on Nauru?

A. The United Nations Convention on the Rights of the Child (the Convention) [3] recognises the vulnerability of children and outlines what governments and adults must do to ensure that children are provided for, protected and participate in society. The Convention provides special protections for refugee children. Australia ratified the Convention in 1990.

The detention of children is a violation of their rights. This is despite several calls from the United Nations Committee on the Rights of the Child for the Government of Australia to end the practice. [4]

Q. Will this encourage boat smugglers?

A. Locking up children is never the answer. There is no justification for solving one problem by creating another. But history shows resettling a small number of refugees from offshore detention does not lead to an influx of boats. That's a separate issue to finally closing these offshore centres. Australia has legal and moral protection obligations to the people we have put in offshore detention on Nauru. We need to bring these children to Australia and offer them protection here.

Q. Why would parents put their children on a boat in the first place?

A. Asylum seekers have said they were willing to attempt a dangerous boat journey, knowing the risk of death, because what they were fleeing was worse. In the words of Numa Touray, a 17-year-old from Gambia: "I knew the journey would be dangerous but if you have the lion behind you and the sea in front of you, you take the sea. I was 100 per cent certain to die at home, 100 per cent certain to die in Libya, and thought I had a 50/50 chance to survive the sea." What would you be willing to risk to protect your children? "No one leaves home unless home is the mouth of a shark." - Warsan Shire

Q. What about the parents and other adults? What will happen to them?

A. We would never suggest separating children from their parents. Any solution in freeing the children, must involve freeing their parents too. The bottom line is, we want everyone off Nauru and out of offshore detention. We are focusing on children because they are the most vulnerable and will carry damage from this hideous situation their whole lives. No-one of any age seeking refuge should live in indefinite detention.

Q. What about the children who are not found to be refugees?

A. Any child whose case for refugee determination is rejected should be granted qualified, legal representation before any further action is taken. That child should be provided with appropriate medical (including mental health) and social support care for the duration of any legal proceedings. We are speaking on behalf of children whose human rights are being denied, who are being detained against their will, who are not having their claims processed according to international law and who are having healthy childhoods taken away from them.

Q. Is this campaign in danger of giving children false hope?

A. This is a concerted effort to redirect the entire Australian Parliament towards properly resolving its responsibility towards these children who've sought protection from Australia. If Australian politicians don't step up and finally do the right thing to have these children resettled here or in a country that welcomes them, it is them withholding hope. The #KIDSOFFNAURU campaign is striving to free these children and give them something to live for. We can't let these children rot their lives away.

Q. How can you say that 'the Australian Parliament is covering up child abuse'?

A. The Australian Parliament knows that ordinary Australians wouldn't stomach the way they are treating children on Nauru in our name. Access for the public and the media is limited. Whistleblowers are threatened with jail for bringing attention to the children's dire circumstances on the island. Politicians from major parties have wanted us to see them as numbers, not young children with hopes and dreams and favourite bedtime stories who're seeking a home to call their own. The Australian Government calls Nauru an Offshore Immigration Processing Centre, but without a defined end to their entrapment, there is no "processing". They are locked up indefinitely. The Australian Human Rights Commission report of 2014 made a number of findings, including that:

"mandatory and prolonged immigration detention of children is a clear violation of international human rights law ... because of the profound negative impacts on the mental and emotional health of children which result from prolonged detention".

Detention in itself constitutes abuse. The Australian Government's persistent failure to change its child detention policy, despite the overwhelming evidence of its harmful impacts, suggests that it is wilfully ignoring and endorsing an abusive system.

Q. Are we insulting the 10,000 people living on Nauru by choice?

A. Nauruans are permitted to come and go from the island - and they do. They have passports. They have extended family members around them. They have their homes and they are surrounded by their own culture. The children in detention live in limbo on unfamiliar land and cannot leave. They might not be behind bars, but if you spent five years on an island the size of Melbourne Airport with no way of leaving, how free would you feel?

Q. How will my personal information be used if I "join the call" to get #KIDSOFFNAURU

A. We take your privacy seriously and will protect your personal information. If you join the call, your information will be secured by World Vision Australia and not shared with any other organisation. We will not email you except to inform you of important #KidsOffNauru campaign news or opportunities to take further campaign actions. If you wish to remove yourself from the #KidsOffNauru 'call' simply unsubscribe from any campaign email you have received or send an email via the Contact Us section.

No-one should be held indefinitely in detention, these camps should be closed, and an enduring solution found for everyone.

This campaign focuses on prioritising getting children out of detention and finding an enduring solution, as they are particularly vulnerable.

- Approximately 124 children remain on Nauru in indefinite 'offshore detention', including as many as 20 children locked up in the regional processing facility.
- Officially, the government says most are now free to move around. However, they all remain effectively imprisoned on the island.
- Minister Peter Dutton has previously boasted that he got every child out of detention (but we understand 20 are still behind fences awaiting "processing"). This has also quelled public urgency over "kids in detention".
- World Vision is deeply concerned about the health of children left in this cruel and unsafe environment on Nauru, as a result of the long-term impact of their indefinite detention there.
- In 2014, the Australian Human Rights Commission reported that children at this centre were deeply traumatised psychologically, and had even been abused.

• The Guardian reported in June that Australian courts have ordered acutely unwell children – some as young as 10 and who have attempted suicide repeatedly – to be moved to Australia.

IN ADDITION there are children currently in 'onshore detention' but we have not been able to find out how many, the Department of Home Affairs Website tells us less than 5. However, we know that at least 3 children are in detention in Melbourne.

CAMPAIGN TIMELINES

World Vision will provide regular updates to all orgs that join the campaign on key milestones and days of action. The timelines below represent some of the key milestones identified **but organisations are free to campaign as they see fit.**

Footnotes:

- 1. <u>ABC Fact Check 'Why Peter Dutton's claims on the Coalition's record on refugees get mixed</u> <u>verdicts'</u>
- 2. <u>1000 incident reports involving Nauru children, The Guardian</u>
- 3. <u>Australian Human Rights Commission Convention on the Rights of the Child</u>
- 4. <u>Committee on the Rights of the Child Sixtieth session 29 May–15 June 2012</u>
- 5. <u>Australia: Appalling Abuse, Neglect of Refugees on Nauru</u>
- 6. Essential Poll, August 2018