

1110-1608 .



**THE HON PETER DUTTON MP
MINISTER FOR IMMIGRATION
AND BORDER PROTECTION**

Ref No: MC15-279242

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
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Dennis
Dear Dr Jensen

Thank you for your letter of 24 November 2015 concerning a petition submitted by Rural Australians for Refugees, Queanbeyan, to the Standing Committee on Petitions (Petition Number 1110/1608). The Petition seeks the closure of the Manus and Nauru Regional Processing Centres (RPCs). I appreciate the time you have taken to bring this matter to my attention.

As a party to the *1951 Convention Relating to the Status of Refugees* and its *1967 Protocol* (the Refugees Convention), Australia takes its international obligations seriously. Australia is committed to providing protection to refugees consistent with the obligations set out in the Refugees Convention and other relevant international treaties to which Australia is a party.

With the establishment of Operation Sovereign Borders on 18 September 2013, the Australian Government has focused on disrupting and deterring people smugglers, detecting and intercepting illegal maritime arrivals, and supporting regional processing and resettlement of asylum seekers, as well as returns of those not found to be owed protection. These measures are intended to deny people smugglers a product to sell to often vulnerable people and to restore integrity to the migration programme. All arrivals from 1 January 2014 will be transferred to either the Manus or Nauru RPCs. Anyone who comes to Australia illegally by boat will not be eligible for permanent residency in Australia.

The Governments of Nauru and Papua New Guinea (PNG) are responsible for managing all aspects of the operation of the RPCs, such as providing appropriate arrangements and support to meet the needs of transferees. The Government provides assistance through funding and contract management for the delivery of services at the RPCs, including security, accommodation, health and welfare, programmes and activities, and education.

The Government takes seriously the need to protect people at RPCs from any abuse, neglect or exploitation and to assist the Governments of Nauru and PNG to protect those at the RPCs. The Government is committed to maintaining the safety of transferees in RPCs and also refugees in the Nauruan and PNG communities. To this end, the Department of Immigration and Border Protection works closely with the Governments of Nauru and PNG to support the safety and well-being of all transferees and refugees in Nauru and PNG.

The Governments of Nauru and PNG encourage all allegations of serious assault, including sexual assault, to be reported to the appropriate authorities for investigation. Where the relevant law enforcement authorities believe that the allegations are substantiated, charges may be laid and the offenders prosecuted in accordance with the respective laws of Nauru or PNG.

From 5 October 2015, the Government of Nauru extended the existing open centre arrangements in the RPC to operate 24 hours a day, seven days a week. Transferees are free to come and go from the RPC at any time. This freedom of movement enables transferees to engage with and develop relationships in the Nauruan community.

Following its decision to expedite the processing of refugee claims, also announced on 5 October 2015, the Government of Nauru has since made refugee status determinations for most transferees. The remaining cases will be resolved as soon as practicable, such as for transferees who are temporarily out of Nauru for medical treatment. The Government continues to support the Government of Nauru through the funding of contracted service providers to support the hand down process and deliver settlement services to refugees in Nauru.

On 23 October 2015, the Government of PNG announced that its National Refugee Policy had been approved and that the settlement of refugees would commence. Transitional support is provided at the East Lorengau Refugee Transit Centre and includes the Wei Bilong PNG orientation programme. The programme includes information about PNG culture, language tuition in Tok Pisin and English, and strategies to stay safe. Refugees will be eligible for settlement once they have completed this programme and have received a job offer, are able to start their own business, or commence self-funded study.

Refugee visas are renewable every 12 months and refugees will be able to apply for PNG citizenship after eight years' residence. Refugees can apply to sponsor family members to join them in PNG, if they can support them financially.

The Australian Government remains committed to the regional processing and resettlement arrangements in place in Nauru and PNG.

Thank you for bringing this petition to my attention.

Yours sincerely

PETER DUTTON

24/12/15