



SENATOR THE HON MATHIAS CORMANN
Minister for Finance and the Public Service
Leader of the Government in the Senate

REF: MS19-000983

Senator James Paterson
Chair
Senate Finance and Public Administration Legislation Committee
Parliament House
CANBERRA ACT 2600

Dear Senator Paterson

I refer to the questions asked by Senator the Hon Penny Wong, and taken on notice by the Department of the Prime Minister and Cabinet, at the Senate Additional Estimates hearing on 18 February 2019, regarding Australia's refugee resettlement arrangement with the United States (US): (PM010, PM011, PM012, PM024, PM025 and PM026).

This refugee resettlement arrangement was, and remains, the subject of confidential discussions and negotiations between representatives of the US and Australian governments.

As the Minister representing the Prime Minister in the Senate, I claim Public Interest Immunity in relation to providing such information on the ground of prejudice to Australia's international relations.

Australia relies heavily on the ability and preparedness of sovereign states such as the US in resettling refugees. The key to Australia's engagement with the US and other prospective resettlement countries is the ability to conduct candid and confidential discussions. If the confidentiality of communications cannot be maintained, or the protection of information assured, it would cause serious damage to Australia's relationship with the US and undermine international arrangement and cooperation on other potential international resettlement arrangements. It is essential that the Australian Government be able to explore any new resettlement opportunities with confidentiality, so as not to jeopardise our ability to encourage the participation of states other than the US.

The disclosure of information relating to the confidential discussions and negotiations on the refugee resettlement agreement with the US would or could reasonably be expected to cause specific harm by:

- jeopardising Australia's refugee resettlement arrangement with the US;
- damaging Australia's relations with the US;
- damaging Australia's ability to successfully secure future resettlement arrangements; and
- weakening Australia's bargaining position in international negotiations.

A copy of this letter has been provided to the Minister for Foreign Affairs, Senator the Hon Marise Payne, and the Minister for Home Affairs, the Hon Peter Dutton MP.

Kind regards

 Mathias Cormann
Minister for Finance and the Public Service

 March 2019