

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
AUSTRALIAN SECURITY INTELLIGENCE ORGANISATION

Question No. 121

Senator Nettle asked the following question at the hearing on 25 May 2006:

Re: Mohhamed Sagar and Mohhamed Faisal – immigration detainees on Nauru

- a) Has ASIO replied to a letter sent to the Director-General of ASIO by Mohammed Sagar on October 17, 2005?
 - (i) If not, why not?
 - (ii) If so, on what date did ASIO reply?
- b) Have Mohhamed Sagar and Mohhamed Faisal been told the reasons for their adverse security assessments?
 - (i) If so, on what date?
 - (ii) (ii) If not, why not?
- c) Is ASIO aware that Mohhamed Sagar and Mohhamed Faisal are unaware of the reason for their adverse assessments?
- d) The Department of Immigration indicated that they asked ASIO if it could reassess the men and that ASIO reconfirmed your decision, is that correct?
 - (i) If so, why?
 - (ii) If so, has this occurred on more than one occasion?
 - (iii) If so, was additional information provided?
- e) Why does ASIO view Mohhamed Sagar and Mohhamed Faisal as a security risk?
- f) Is the risk specific to Australia, or a general risk?
- g) When did any assessments occur?
- h) The Department of Immigration claims they have attempted to get other countries to take the men, as part of this process does ASIO provide those countries with information about their security assessments?

The answer to the honourable Senator's question is as follows:

As the Director-General advised in hearings held on 25 May 2006, Mr Mohammad Sagar and Mohammad Faisal al Delimi have commenced proceedings in the Federal Court. ASIO is unable to comment further on this matter.