

APPENDIX 1



Australian Government

Department of Immigration and Multicultural and Indigenous Affairs

Mr Paul McKinnon

KANGAROO POINT QLD

Dear Mr McKinnon

Thank you for your email of 29 June 2005 to the Prime Minister, the Hon John Howard about the residents of the Offshore Processing Centre (OPC) in Nauru. Your email has been referred to the Minister for Immigration and Multicultural and Indigenous Affairs, Senator the Hon Amanda Vanstone, as the matters you have raised fall within her portfolio. Your email has been referred to me for reply.

All residents at the Nauru OPC have had their claims for refugee protection assessed on at least two, and in most cases, three occasions and have been found not to be refugees. The Australian Government's refugee determination process is just, fair and efficient and is acknowledged as such by the United Nations High Commissioner for Refugees (UNHCR). The processing of asylum claims in Nauru meets Australia's obligations under the *Refugees Convention* and its 1967 Protocol.

Residents of the OPC in Nauru are not held in detention. They are in Nauru legally on special purpose visas. Those found not to be in need of refugee protection are free to leave Nauru at any time and return to their country of origin, or to a country where they have the right of entry, as 473 have already done. Those who choose to remain are accommodated at the centre and are well cared for by the International Organization for Migration (IOM).

I note your concern for the health of a particular resident. The IOM gives extremely high priority to the mental health of OPC residents. It maintains a dedicated mental health unit and has in place a comprehensive mental health strategy designed to improve the residents' psychosocial well-being.

The Australian Government is firmly committed to ensuring the integrity of Australia's borders and to the effective control and management of the movement of people to and from Australia. This commitment stands beside Australia's absolute commitment to meeting its international obligations under refugee-related conventions.

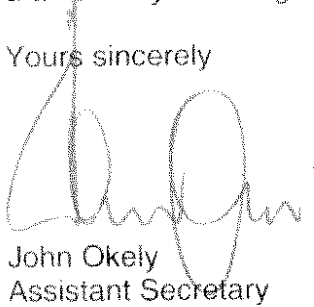
It is significant that many of the people who pay people smugglers to move them around the world have bypassed effective protection arrangements in countries closer to their home. Many people attempting to travel to Australia unlawfully are undertaking a secondary movement from their country of first asylum to try and use the asylum system to achieve a migration outcome. By doing so they may take scarce resettlement places which would otherwise be available to refugees identified overseas as being in greatest need and for whom resettlement was the only viable solution to their plight.

There are many people who would like to come to Australia, many more than Australia can possibly hope to absorb. Notwithstanding the contribution that some OPC residents might be making to the Nauruan community, or could potentially make to the Australian community, they are in Nauru because they have paid people smugglers to assist them in attempting to enter Australia illegally.

The Pacific Strategy has made Australia a less attractive destination for people smugglers and for those who engage them. As a result, Australia's generous refugee and humanitarian program has been able to focus on those offshore who are most in need of resettlement rather than those who enter illegally and potentially abuse Australia's refugee protection procedures and resettlement program.

Australia's refugee intake in 2004-05 will reach 6000 places, an increase of 50% on previous years. This increase is only possible because of the success that has been achieved in dramatically reducing the number of unauthorised arrivals.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'John Okely', written over a faint, illegible stamp or watermark.

John Okely
Assistant Secretary

7 July 2005