

Dear Sir or Madam,

During the course of the committee's Canberra hearing on the Migration Amendment (Designated Unauthorized Arrivals) Bill, I offered to find a good paper written by Peter Mares on the pitfalls of comparing statistics as to refugee status determination. Here is a link to that paper, entitled "The generous country? Asylum seeking in Australia: myths, facts and statistics."

<http://www.safecom.org.au/peter-mares.pdf>

I also offered to point committee members to some of the critical literature concerning refugee status determination by UNHCR, determinations which are often undertaken under the difficult circumstances of mass influx. The one with which I am most familiar is the following: M. Alexander, 'Refugee Status Determination Conducted by UNHCR', 11 International Journal of Refugee Law 251 (1999).

However, I note with interest that there is a very recent article that deals with this subject: Michael Kagan, The Beleaguered Gatekeeper: Protection Challenges Posed by UNHCR Refugee Status Determination, 18 International Journal of Refugee Law 1 (2006).

Finally, I would like to correct some information in one of my footnotes. In footnote 7 I have referred to the Lisbon expert round table on "effective protection" being organised in the context of UNHCR's global consultations, but in fact the note should say that the round table was organised after the global consultations as an effort to follow-up on UNHCR's Agenda for Protection. My apologies to the committee (and if it is too late for such amendments, never mind - it is not a particularly important point). I hope the material provided in answer to questions on notice is helpful.

Best Wishes,

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