

Information sheet: Refugee Status Determination Process at Manus Regional Processing Centre

You have been transferred to the Manus Regional Processing Centre so that your claims to be a refugee can be assessed. Refugee Status Determination will be conducted under Papua New Guinea (PNG) law.

Under section 15C of the PNG *Migration Act 1978* you are required to stay at the Regional Processing Centre while your refugee claims are being processed.

Initial screening interviews

Initial screening interviews will be conducted to gain information about you, your background and your travel. While these interviews are not part of the Refugee Status Determination process, the information that you provide will later be used as part of the assessment of your claims to be a refugee.

Refugee Status Determination process

Your Refugee Status Determination assessment will begin once your initial screening interview has been completed. Your Refugee Status Determination assessment will commence as soon as practicable.

Suitably qualified organisations are available to assist you to submit your claims to be a refugee, should you wish. This service is independent from both the Government of PNG and the Government of Australia.

You also have the right to communicate and give instructions to a lawyer of your choice while you are at the Regional Processing Centre at your own expense.

Your claims to be a refugee will be assessed by a Protection Assessment Team, in accordance with PNG law and the relevant provisions of the 1951 *Convention relating to the Status of Refugees* and its 1967 Protocol.

You will be interviewed as part of this process. It may be necessary to interview you several times.

Up to date information on the situation in your home country will be taken into account by the Protection Assessment Team.

You will be advised in writing, in a language that you understand, of the outcome of this assessment. If you can not read, the decision will be read to you in a language that you understand. If the Protection Assessment Team assesses that you are not a refugee, the reasons for that assessment will be provided to you in writing.

Review rights

If the Protection Assessment Team assesses that you are not a refugee, the decision will be referred to a Review Team for review. The Review Team is a separate team which can assess whether the original decision was correct or not.

You will be interviewed again, possibly several times, as part of the review.

As with the original assessment, you will be advised in writing of the outcome of the review. If you can not read, the decision will be read to you in a language that you understand. If the review outcome is negative, the reasons for that assessment will be provided to you in writing.

The Minister will make all Refugee Status Determinations

The PNG Minister for Foreign Affairs and Immigration will consider the assessments of the Protection Assessment Team and Review Team and will determine whether or not you are a refugee.

The Minister's decision is final and can not be reviewed or revisited.

People determined to be refugees

People who the Minister determines to be refugees will be resettled or transferred to another country. That country will not necessarily be Australia.

The timing for resettlement or transfer will be in accordance with the principle that people who seek refugee status by travelling irregularly (including by using people smugglers) should receive no advantage and be resettled no faster than people who access regular refugee processing opportunities closer to their country of origin.

People determined not to be refugees

People who the Minister determines not to be refugees will be removed from the Regional Processing Centre to a transit facility in Port Moresby, which is the capital of PNG.

An assessment will be conducted to determine whether it is safe for you to return to your home country. If it is safe for you to return to your home country, this will be arranged as quickly as possible. If it is not safe for you to return to your home country, you will be sent to another safe country.

Importance of being accurate and truthful

It is important that you are accurate and truthful when providing information to support your refugee claims. If it is later found that you provided false information, this might affect your refugee status or your resettlement.

Good character requirement

Under PNG law a person may be found not to be a refugee if, while in PNG, they have exhibited a demeanour incompatible with a person of good character and standing. It is therefore important that you abide by all laws of PNG while living at the Regional Processing Centre.

Options if you no longer want your refugee claims assessed

The International Organization for Migration is available to provide return and reintegration assistance to you if you no longer wish to have your refugee status assessed and wish to return to your home country.