

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 27-28 May 2013

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(BE13/0039) PROGRAM –

Senator Hanson-Young (L&CA 74) asked:

Senator HANSON-YOUNG: I am interested to see what the difference may be, seeing that we have spent all this time training these people.

[...]

Senator HANSON-YOUNG: The process and the anticipated outcomes.

Dr Southern : We could take on notice to provide you with further detail about the actual process.

Answer:

Nauru

Nauru is a signatory to the Refugees Convention. The Government of Nauru is undertaking refugee status determinations of individuals transferred from Australia under the *Nauruan Refugees Convention Act 2012* and the *Refugees Convention Regulations 2013* (SL No.5 of 2013).

Nauru uses the definition of 'refugee' defined in Article 1(A)(2) of the *1951 Convention relating to the Status of Refugees*, as amended by its 1967 Protocol. The *Refugee Convention Act 2012* provides for both merits and judicial review for refused primary protection claims decisions.

It is important to note that Australia's role extends to assistance and support only. Departmental staff are not decision makers for the purposes of the *Nauruan Refugees Convention Act 2012*.

Papua New Guinea

Papua New Guinea is a signatory to the Refugees Convention and has elected to undertake refugee status determination under its domestic laws. Refugee status determination processes are yet to be finalised by the Government of PNG, however the Government of PNG anticipates that processing will commence in July 2013.

Australia has provided assistance to the Government of PNG to establish and implement its refugee status determination processes, commensurate to that provided to the Government of Nauru.