

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 30 October 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(221) Output 1.3: Enforcement of Immigration Law

Senator Kirk asked:

In the Budget Estimates Hearing of 2006 DIMA provided two Pakistani ID documents - Question 202 and attachments. These documents are claimed to be Mr Mazhar Ali and his father. It is understood that two independent Persian speaking translators state that the document purporting to be Mr Mazhar Ali (ZIL20) is in the name of Nazar or Nasser Ali and the other one is in the name of Mr Teimor Ali. Mr Mazhar Ali's father was Mr Yusuf Ali of Balaw Daoud, Jaghour district of Ghazni.

Can the Department explain:

1. When these documents were presented to Mr Mazhar Ali and if they were not presented why not?

Can the Department provide:

2. Documents dated in October 2002 that claim Mr Mazhar Ali is from Pakistan and how that conclusion was reached?

Can the Department explain:

3. Why Mr Mazhar Ali's escorts were entitled to travel without visas and indicate how many countries allow Australian escorts to travel without visas?

4. How was Mr Mazhar Ali left at the Karachi airport if the DIMA staff were not allowed to enter?

Can the Department provide:

5. Copies of all the Pakistani documents with the photos uncensored?

Can the Department explain:

6. When did Mr Teimor Ali come to Australia? Who is Mr Teimor Ali? Did he apply for asylum? (It has been reported previously by journalist Mr Paul McGeough that Mr Mazhar Ali's father is long dead and the Afghan governor of his district verified him as Mr Yusuf Ali).

7. Why was Mr Mazhar Ali sent to Karachi instead of Quetta?

Answer:

1. A DIMA officer spoke to Mr Mazhar Ali on 19 February 2003 and advised him that DIMA had copies of both his and his father's Pakistani National Identity Cards.
2. Correspondence of 28 October 2002 from the High Commission for Pakistan identifying Mr Mazhar Ali is attached.
3. As stated in a response to Question on Notice 203 from the Budget Estimates hearing in May 2006 (attached), the Detention Service Provider's escorts were not required to obtain clearance to enter Pakistan as they were not required to enter Pakistan. Upon arrival the escorts remained in the transit area of the airport before boarding their connecting flight. They did not require visas for this purpose.

According to the Travel Industry Manual (September 2002), a visa is not required for Pakistan if:

- continuing to a third country by the same or first connecting aircraft within 24 hours; and
- not leaving the airport; and
- holding a ticket and all documents required for the country of destination.

The Department is unable to provide data on how many countries allow Australian escorts to travel without visas as reporting on this issue is not readily available. However, the Department is able to advise that in relation to Pakistan, the only nationals not permitted to transit without a visa in Pakistan at September 2002 were nationals of Afghanistan, India, Iran, South Africa (non-Muslims), Sri Lanka, and holders of Chinese Taipei passports.

4. The escorts that accompanied Mr Mazhar Ali were not required to enter Pakistan. Mr Mazhar Ali is a citizen of Pakistan with all the rights and privileges of Pakistani citizenship, including right of entry to Pakistan.
5. Due to privacy reasons, the Department is unable to provide copies of these documents with the photos uncensored.
6. Mr Teimor Ali has been identified as the father of Mr Mazhar Ali. Department systems indicate that Mr Teimor Ali, the father of Mr Mazhar Ali, has not entered Australia.
7. Pakistan has three international airports; Islamabad International Airport, Lahore (Allam Iqbal) International Airport and Karachi (Jinnah) International Airport. Karachi is the closest international airport to Quetta.

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 22 May 2006

IMMIGRATION AND MULTICULTURAL AFFAIRS PORTFOLIO

(203) Output 1.3: Enforcement of Immigration Law

Senator Kirk asked:

It is claimed that the ACM guards who escorted Mr Ali were not allowed clearance to Pakistan - is this true?

Answer:

The ACM escorts were not required to obtain clearance to enter Pakistan. Upon arrival at the airport the escorts remained in the transit area before boarding their connecting flight. They did not require visas for this purpose. The ACM Escorts were not required to enter Pakistan.