DEPARTMENT OF IMMIGRATION AND MULTICULTURAL AND INDIGENOUS AFFAIRS

SUBMISSION TO

SENATE FOREIGN AFFAIRS, DEFENCE AND TRADE REFERENCES COMMITTEE

INQUIRY INTO

AUSTRALIA'S RELATIONSHIP WITH PAPUA NEW GUINEA AND OTHER PACIFIC ISLAND COUNTRIES

July 2002

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Glossary of terms

ABTC	APEC Business Travel Card Scheme
AFMA	Australian Fisheries Management Authority
AFP	Australian Federal Police
AFP – LEC	Australian Federal Police - Law Enforcement Cooperation
APC	Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants
APEC	Asia-Pacific Economic Cooperation
APEC BMG	Asia-Pacific Economic Cooperation Business Mobility Group
AQIS	Australian Quarantine and Inspection Service
ASCO	Australian Standard Classification of Occupations
ASIO	Australian Security Intelligence Organization
DFAT	Department of Foreign Affairs and Trade
DIMIA	Department of Immigration and Multicultural and Indigenous Affairs
ETA	Electronic Travel Authority
IATA	International Air Transport Association
IGC	Intergovernmental Consultations on Asylum and Migration in Europe, North America and Australia
IOM	International Organisation for Migration
MMO	Movement Monitoring Officer
MMS	Movement Monitoring System
MOU	Memorandum of Understanding
OCO	Oceania Customs Organisation
OPC	Offshore Processing Centre
PACRIM	Pacific Rim Immigration Intelligence Officer Conferences
PAES	Portfolio Additional Estimates Statement
PIDC	Pacific Immigration Directors' Conference
PIFSec	Pacific Islands Forum Secretariat
SPCPC	South Pacific Chiefs of Police Conference
TILF	Trade and Investment Liberalisation Fund
TIM	Traditional Inhabitants' Meeting
UNHCR	United Nations High Commissioner for Refugees

Terms of reference

The Senate *Foreign Affairs, Defence and Trade References Committee* has requested submissions on Australia's relationship with Papua New Guinea and the island states of the South-West Pacific (known as Oceania or the South Pacific), with particular reference to:

(a) the current state of political relations between regional states and Australia and New Zealand;

(b) economic relations, including trade, tourism and investment;

(c) development cooperation relationships with the various states of the region, including the future direction of the overall development cooperation program; and

(d) the implications for Australia of political, economic and security developments in the region.

Geographic scope of the inquiry

In addition to Papua New Guinea, the Secretariat of the Committee identified the following countries as constituting the South Pacific for the purposes of the Inquiry:

- Fiji
- Republic of Kiribati
- Republic of the Marshall Islands
- Federated States of Micronesia
- Nauru
- New Caledonia
- Samoa
- Solomon Islands
- Tonga
- Tuvalu
- Vanuatu

The Secretariat also identified Tokelau, Niue and the Cook Islands as of interest to the Inquiry. These countries fall under the protectorate of the New Zealand Government.

Introduction

As the largest and most prosperous nation in the South Pacific region, many Pacific countries look to Australia to play a leadership role in regional affairs. At the same time, Australia strongly values its close relationship with the South Pacific and recognises the important role that it can play in contributing to the political, economic, security and social development of countries in the region.

As a consequence of our geographic proximity and regional influence, Australia's immigration policies impact upon the people and governments of the South Pacific in many significant ways. Australia has developed a number of unique immigration arrangements that reflect the special place of the South Pacific in Australia's international outlook.

The *Torres Strait Treaty*, for instance, provides an innovative way of balancing our need to maintain the integrity of our borders with our desire to protect the cultural traditional way of life and livelihood of traditional people of the Torres Strait. The 1973 *Trans-Tasman Travel Arrangement* provides special travel arrangements for citizens of Australia and New Zealand travelling between the two countries.

Australia has long been a destination for South Pacific nationals, a situation which has led to the development of distinctive communities in Australia, particularly those of New Zealand, Fiji and Papua New Guinea. The growth of these communities reflects the fact that many South Pacific nationals find motivation to travel to Australia to secure employment or educational opportunities that are not available to them in their home country.

The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) is responsible for administering the laws and procedures governing the entry and stay of overseas-born through a range of specific visa categories. DIMIA also facilitates the realisation of specific development programs, such as the AusAID student program which encourages foreign-born students to acquire in Australia skills so that they may contribute to national development upon their return home.

Whilst the levels of migration and temporary entry from the South Pacific are small relative to our overall immigration intake and temporary arrivals, opportunities for entry and stay in Australia are important to South Pacific communities, many of which rely heavily on migrant remittance for economic survival. In addition, citizens of the South Pacific are strongly represented in a number of specialist visas categories, including the Sport and Entertainment categories.

Whilst recent public debate concerning immigration and the South Pacific has focused heavily on the "Pacific Strategy" – Australia's agreements with certain South Pacific states to enable the offshore processing of asylum seekers - there are a range of other important dimensions to Australia's immigration relationship with the South Pacific.

Australia is involved in significant ongoing efforts to advance regional security through bilateral capacity building programs with a number of South Pacific countries. Over the past year, Australia has been strongly active in assisting Papua New Guinea review key immigration legislation and in developing a framework for the provision of information, training and equipment to strengthen Papua New Guinea border control mechanisms.

Australia also plays an influential role in several multilateral processes that have been established to promote coordinated, regional responses to immigration issues of concern, such as immigration law enforcement, management of illegal migration and the facilitation of business entry. Australia has been a leading proponent of the Pacific Immigration Director's Conference (PIDC), the Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC), and the APEC Business Mobility Group (APEC BMG).

This submission outlines some of the more important aspects of Australia's relationship with the South Pacific region from an immigration perspective. In doing so, each of the four terms of reference are addressed.

Part One of this paper examines the *political relationships* between Australia and the South Pacific. It does so in a broad sense, mapping the development and characteristics of New Zealand and South Pacific communities in Australia. It also looks closely at the *Torres Strait Treaty* and the way in which the provisions of the treaty are implemented and managed.

Part Two explores our *economic relationships* through a focus on skilled permanent and temporary entry from the South Pacific. This part generally examines visa activity over the past three financial years to discuss specific trends in migration and temporary entry from the South Pacific.

Part Three discusses *cooperative relationships* that have developed between Australia and the region, particularly through bilateral and multilateral cooperation on asylum seeker processing, border control and the management of illegal migration.

Part Four briefly examines *security relationships* within the region focussing on Australia's ability to manage potential population outflows from the South Pacific countries to Australia caused by instability or upheaval.

Part One – Political relationships

Term of reference - Current state of political relations between regional states and Australia and New Zealand

Introduction

1.1   With the largest population and strongest economy in the region, Australia is a key destination for settlers from the South Pacific.   Whilst the largest population flows from the region have come from New Zealand, the past few decades have also seen the development of sizeable communities of settlers from Papua New Guinea and Fiji and, to a lesser extent, some of the smaller countries in the region, such as Tonga and Samoa. Australia recognises the special importance of the South Pacific through a number of specific treaties and provisions that regulate entry to the Australia from certain countries in the region. Under the *Torres Strait Treaty* special arrangements are in place to enable free movement for traditional inhabitants undertaking traditional activities in the Torres Strait Protected Zone.

1.2   Community profiles set out below are drawn from data from 2001 Census where possible. However, at the time the submission was drafted, some data from the 2001 Census, such as data concerning occupation and labour force status, was not available and 1996 Census data has been used.

New Zealand

Australia and New Zealand

1.3   Under various arrangements since the 1920s, there has been a free flow of people between Australia and New Zealand. The 1973 *Trans-Tasman Travel Arrangement* has allowed Australian and New Zealand citizens to enter each others' country to visit, live and work, without the need to apply in advance for authority to enter the other country.

1.4   The nature of movement of New Zealanders to and from Australia is influenced primarily by the economic conditions prevailing in both countries. In particular, the number of New Zealanders in Australia increases in times of economic buoyancy in Australia relative to New Zealand and decreases when economic conditions are slow.

New arrangements for New Zealand citizens

1.5   On 26 February 2001, the Australia and New Zealand Governments announced new bilateral social security arrangements.   Under these arrangements, and unless covered by special transitional provisions, New Zealand citizens are required to obtain Australian permanent residence if they wish to access certain social security payments (subject to the two-year eligibility waiting period for most payments), obtain Australian citizenship or sponsor people for permanent residence. These changes do not affect the

Trans-Tasman travel arrangements, which remain the primary means by which New Zealand citizens travel to stay in Australia.

Arrivals of New Zealand citizens

1.6 New Zealand citizens coming to Australia permanently are not counted as part of Australia's annual migration program, but are included in settler arrivals and overseas migration figures.

1.7 In 2000-01, a total of 991,756 New Zealand citizens came to Australia, an increase of 44,047 (or 4.6%) from the 947,709 in the previous year. Since the changes announced in February 2001, there has been a drop in the overall number of New Zealand citizens compared with the corresponding months of the previous year.

Permanent and long-term movement

1.8 In 1999-00, a total of 43,018 New Zealand citizens came to Australia permanently or as long-term (12 months or more) arrivals. This represented an increase of 21.2% or 7,523 above the 35,495 permanent and long-term arrivals in 1998-99. In 1999-00, New Zealand citizen permanent and long-term arrivals were made up of 31,615 (or 73.5%) permanent arrivals and 11,403 (or 26.5%) long-term arrivals.

1.9 In 1999-00, 12,948 permanent and long-term resident New Zealand citizens departed Australia, an increase on the previous year of 1,921 (or 17.4%).

1.10 At 31 June 2001, an estimated stock of 460,000 New Zealand citizens were present in Australia, an increase of 6% on the previous year. Of these, 258,000 (56%) had been here for more than 12 months. New Zealand-born is the second largest overseas-born group in Australia after those born in the United Kingdom, and has been one of the fastest growing groups since the mid-1970s.

New Zealanders in the Australian labour market

1.11 At June 2001, New Zealand-born in Australia had a high participation rate (77%) in the Australian labour market compared with the Australian-born (67%) and all migrants from the Main English Speaking Countries (MESC) (64.2%). This is partly related to the concentration of New Zealanders in the young adult age groups.

1.12 At June 2001, New Zealand-born had an unemployment rate of 6.1%, compared with 6.5% for the Australian-born and 5.8% for MESC migrants.

1.13 According to the 1996 Census, the largest numbers of New Zealand-born were employed in the major industry sectors of Manufacturing (13.2%), Retail Trade (12.2%), Property and Business Services (11.3%) and Health and Community Services (9.4%).

New Zealand and the South Pacific

1.14 Like Australia, New Zealand has long been an attractive destination for migrants from the Pacific Islands. As Pacific Island communities became established in New Zealand, chain migration to reunite families became an important motivation for migration from the region. Economic factors also contribute to permanent and temporary movement to New Zealand.

1.15 There is a special provision for immigration to New Zealand from Western Samoa under the *Treaty of Friendship* signed in 1962 when Samoa gained independence from New Zealand. The Treaty allows for an annual quota of immigrants from Western Samoa, providing they have a guarantee of employment and meet standard age, health and character requirements. People from the Cook Islands, Niue and Tokelau are all New Zealand citizens and, therefore, have right of free entry into New Zealand.

1.16 Table 1 shows that there were 6,274 visa grants for entry to New Zealand made to nationals of the South Pacific in 2000-01. The majority (2,578) entered through the Family stream. Skilled Stream entrants numbered 1,721. Fiji was the major source country with 3,058 grants, followed by Samoa with 2,219 and Tonga with 885.

Pacific communities in Australia

Papua New Guinea-born in Australia

1.17 The majority of the community of Papua New Guinea-born living in Australia are from Anglo-Celtic backgrounds and are the children of Australians who were working in Papua New Guinea when Australia was responsible for administering either the Australian 'territory' of Papua or the Territory of Papua and New Guinea. In 1949, the United Nations ratified Australia's administrative arrangements in relation to both Papua and New Guinea.

1.18 In the 1870s a small number of people from Papua New Guinea – mostly mission sponsored villagers – visited Australia. In the decades that followed some 3,000 Papuan labourers were recruited to work in sugar cane plantations in Queensland. Most eventually returned to Papua but a few stayed on.

1.19 Papuans were normally subject to the provisions of the *Immigration Restriction Act 1901*, which denied non-Europeans entry into Australia, but there were exemptions for the staff of pearl fisheries, where Papuans were the second-largest group of non-Australians (after the Japanese). Available sources indicate that about 450 Papuans arrived in Australia each year between 1905 and 1910. (Some of these pearl industry workers were from the Dutch or German-administered parts of the island of New Guinea). By 1928, this figure had declined to about 350 entrants per annum. In 1954 there were still some Papuans among the 906 residents of the Torres Strait Islands classified as employed in the pearling industry. The 1954 Australian Census showed only 1,723 Papua New Guinea-born in Australia.

1.20 Papua New Guinea gained its independence in 1975 and, in 1978, the *Torres Strait Border Treaty* was signed. The Treaty (while not ratified until 1985) guaranteed movement for "traditional purposes" for Papua New Guineans within certain defined boundaries. The *Torres Strait Treaty* and movement of traditional people is discussed in detail below.

1.21 By the 1976 Census, there were 15,562 Papua New Guinea-born recorded as living in Australia. It was estimated in 1986 that indigenous Papua New Guineans only made up about 9% of the Papua New Guinea-born community in Australia. The Papua New Guinea-born numbered 23,576 at the 1991 Census, 24,357 at the 1996 Census and 23,620 at the 2001 Census. The size of the community has remained relatively steady over the past 15 years, although the rate of growth dropped from 2.1% in the 1986-91 period to 0.5% in the five years from 1991 to 1996. There was a 3.1% decline in the population from 1996 to 2001. Over half of Papua New Guinean-born in Australia live in Queensland and just under one-quarter live in New South Wales.

1.22 There have been few permanent (settler) arrivals from Papua New Guinea over the last seven years. In 1995-96, there were 217 arrivals, in 1999-00, there were 84 arrivals. Of these, 35% entered through the Skilled Stream of the Migration Program. Since 1995-96, Papua New Guineans have made up between 0.1% to 0.2% of total settler arrivals. The median age of Papua New Guinea-born settlers was 23 years, compared with 28 years for all settler arrivals. In 1999-00, 29.8% of Papua New Guinean settler arrivals were male, 70.2% female.

1.23 The 1996 Census identified an employment rate of 89.3% amongst the Papuan New Guinea-born population in Australia, in comparison with a national figure of 90.8% (see Table 2). Almost one-third of those in the workforce were employed at the Managerial/Professional level, with just over one-quarter in an occupation of Intermediate skill. Over one-quarter (5,516) of Papua New Guinea-born possessed a degree/diploma level of qualification, relative to the national figure of 16.5%.

Fiji-born in Australia

1.24 There has been a long history of emigration from Fiji to Australia, with much of it in the early days of European settlement being associated with plantation and missionary society work in the Pacific Islands. Much of this movement was not of ethnic Fijians but of Fiji-born children of colonial functionaries of European descent. In recent years, however, immigration from Fiji has overwhelmingly involved people of Fijian or Indian ethnicity. The Fiji-born population in Australia also includes Chinese, European and Rotuman and other ethnic and racial groups.

1.25 The Fiji-born numbered 1,508 at the time of the 1947 Australian Census. The Fiji-born in Australia have been one of the fastest growing groups in recent years, with an average annual growth rate of 10% between the 1981 and 1986 Censuses, and 17% between the 1986 and 1991 Census. The 1991 Census recorded 30,100 Fiji-born. Immigration from Fiji declined over the early 1990s,

with a growth rate of 1.6%. The 1996 Census estimated that there were 37,135 Fijian-born residents in Australia. This figure increased by 16% to 44,251 in 2001. They make up the largest population in Australia from the Pacific region, excluding New Zealanders.

1.26   Settler arrivals from Fiji have diminished from a peak of 2,980 in 1987-88 to approximately 1,500 per annum. Since 1995-96, Fijians have made up between 1.4% to 2.0% of total settler arrivals. In 1999-00, 1,856 settlers arrived, of which almost 50% were skilled migrants. The median age of Fijian-born settlers was 26 years. In 1999-00, 47.6% of Fijian settler arrivals were male, 52.4% female.

1.27   At the time of the 1996 Census, the employment rate amongst the Fijian-born population in Australia was 88.5% (see Table 3). Intermediate Skill occupations accounted for around 33% of employment for the Fijian-born, followed by Managerial/Professional occupations (22.0%). Just over 20% (6,688) of Fijian-born possessed a degree/diploma level of qualification.

Other Pacific communities

1.28   Over the last 30 years there has been a significant level of migration from the small island states of the South Pacific to the US, Australia and New Zealand, particularly amongst the young and educated. The primary motivation for this group to migrate is to access employment and education opportunities not available in their home countries. Such opportunities also enable migrants to *remit* earnings back to their families and local communities.

1.29   There is evidence that migrant remittance plays an important role in domestic economic development in the South Pacific. Studies show that migrant remittance is central to local economies, particularly smaller South Pacific states such as Samoa, where remittance increases disposable income and often forms a central element in the formulation of plans for national development. Remittances are generally used for repaying the debts and fares of subsequent migrants, the purchase of consumer goods, construction or purchase of improved housing, investment and community development.

1.30   Table 4 shows the number of Pacific-born persons by usual state or territory of residence at the time of the 2001 Census. The next largest South Pacific communities in Australia after New Zealand, Fiji and Papua New Guinea are those of Samoa (13,199), Tonga (7,662) and the Cook Islands (4,685). The size of these communities relative to the total Australian population is negligible (less than 0.1%). The Samoan community grew by 25% from 1996 to 2001. Over 50% of the total number of those of South Pacific origin have settled in New South Wales. Over 25% have settled in Queensland and just over 18% in Victoria.

1.31   The number of settler arrivals from South Pacific countries is also very small. Table 5 shows settler arrivals from the region over the last three years. The combined number of arrivals in 1998-99 was 1,845, decreasing to 1,806 in 1999-00, and 192 in 2000-01 (the small 2000-01 figure reflects the changes effecting New Zealand citizens). Settlers from Tonga, Samoa, the Cook

Islands and Tokelau arrived predominantly under New Zealand Citizenship. More detail on permanent migration and temporary entry from Papua New Guinea, Fiji and the South Pacific is provided in Part Two of this paper.

1.32 Of the South Pacific peoples surveyed by the 1996 Census (Cook Islanders, Tongans, Western Samoans) approximately 40% of those in the workforce were engaged in work of an Intermediate Skill level, with a smaller proportion working at the Managerial/Professional level (varying between 6% - 11%). Less than 10% of people in these communities held a degree/diploma qualification.

Australians in the South Pacific

1.33 Australians travelling to the South Pacific for employment or business contribute to the economic development of countries in the region. In 2000-01, 162 Australians travelled to the South Pacific for a period of more than 12 months to undertake business activities. Most went to Nauru (58) and Fiji (52). In the same year, 759 Australians travelled to South Pacific countries for employment purposes, anticipating a stay of more than 12 months. The vast majority travelled to Papua New Guinea (541). The largest groups amongst these travellers were Managers and Administrators and Professionals (see Table 6).

Torres Strait Protected Zone

1.34 Torres Strait, at the far north-eastern tip of Australia, is a 150km-wide passage between Cape York Peninsula and the south-west coast of Papua New Guinea. It comprises a series of islands of which 14 are inhabited by about 8,000 people. Thursday Island, which is about 15km from the Australian mainland, is the government administrative centre for the Torres Strait.

1.35 The management of the movement of people in the region requires a cooperative arrangement, which is formalised in the *Torres Strait Treaty* between Australia and Papua New Guinea. The Treaty was signed in December 1978 and entered into force in February 1985. Under this arrangement, traditional inhabitants from both countries move freely without passports or visas, for traditional activities within a "Protected Zone".

1.36 Movements across the Torres Strait have been steadily increasing from approximately 21,000 in 1994 to 37,600 in 1998-99 and 46,057 in 1999-2000 (most current figure available).

The *Torres Strait Treaty*

1.37 The commencement of the *Torres Strait Treaty (Miscellaneous Amendments) Act 1984* gave effect to the obligations of the *Torres Strait Treaty* (the Treaty) in relation to Australian domestic law. The Treaty sets out the agreed position of Australia and Papua New Guinea in relation to sovereignty and maritime boundaries in the Torres Strait. The Treaty established a Protected Zone in the Strait, the principal purpose of which:

> *... is to acknowledge and protect the traditional way of life and livelihood of the traditional inhabitants including their traditional fishing and free movement (Article 10).*

1.38   The Act acknowledges that, under the Treaty, Australia must allow certain persons free movement into and around the Torres Strait. The Act recognises the special status of traditional inhabitants by including provision to permit their (visa) free travel within the Protected Zone in certain circumstances.

1.39   The term "traditional inhabitants" defined in the Treaty refers to persons who live in the protected zone or adjacent coastal areas and are citizens of either Australia or Papua New Guinea. These persons maintain traditional customary associations with areas or features, in or in the vicinity of the protected zone, in relation to their subsistence and or livelihood or social, cultural or religious activities. Traditional activities, as defined by the Treaty, include activities on the land (such as gardening, collecting food and hunting), activities on water (such as fishing), ceremonies or social gatherings (such as marriages) and traditional trade. Business dealings and employment for money are not recognised as traditional activities under the Treaty.

1.40   A number of the provisions of the Treaty aim to preserve the fragile Torres Strait environment. A ten-year prohibition on mining and drilling in the Torres Strait Protected Zone was agreed in the Treaty. A three-year extension was agreed in February 1998.

1.41   Traditional culture and values remain strong in the Torres Strait, a remote region with no major air or seaports. The free movement which the Treaty is designed to facilitate is a significant part of traditional life in the region. The Treaty is recognised as one of the most creative solutions in international law to a boundary problem that effects the lives of traditional inhabitants.

The role of DIMIA and other agencies in the protected zone

1.42   The role of DIMIA is to administer the Act and, in relation to the Protected Zone, to facilitate the implementation at the local level of the relevant provisions of the Act and the Treaty regarding allowed inhabitants and to protect the integrity of migration arrangements in the region. DIMIA maintains an immigration presence in the Torres Strait through its office on Thursday Island and a network of Movement Monitoring Officers (MMOs) on thirteen of the islands.

Movement Monitoring System

1.43   DIMIA established the Movement Monitoring System (MMS) in 1988 when surveillance of the Torres Strait became increasingly important in the context of continuing allegations concerning illegal activities.

1.44   Thirty-four Islanders have been appointed and trained to be Movement Monitoring Officers (MMOs). Their knowledge and links with the region have helped build a partnership with island communities to ensure the integrity of migration arrangements and assist the local community to form an accurate picture of movements to their island. As far as possible, MMOs work out of

their island council office.

1.45 MMOs act as agents for DIMIA and are employed on a contract basis. Eight MMOs are empowered under the *Migration Act 1958*, and they play an important role in maintaining border control by recording arrivals, subsequent departures and weekly reporting to the DIMIA Office on Thursday Island. MMOs are supplied with uniforms and are paid on an hourly basis.

1.46 The MMOs' basic task is to identify visiting "allowed inhabitants". They do so by completing arrival and departure sheets listing persons who visit the Strait and their island for traditional activities without passports or visas. There are several landing places on each island. The Papua New Guinea village Chairperson provides visitors to the protected zone with a pass, which lists and identifies them and specifies their length of stay. Visitors provide this pass as identification to the MMOs on arrival. The records are made on arrivals and departures sheets which are sent every week to the DIMIA office at Thursday Island.

1.47 MMOs have often been responsible for spotting unauthorised boat arrivals in the region. During the course of the year 2000-01, some 30 third country nationals were noted seeking to enter Australia illegally; some were detained while others were monitored and prevented from entering the country. Australia and Papua New Guinea authorities continue to work closely together to prevent and respond to unlawful transit.

1.48 Any possible breach of articles in the Treaty is communicated by the MMO to the Regional Manager, Thursday Island, as soon as practical. The MMO also works in conjunction with the Island Chairperson or Councillors to enforce the generally accepted limit of a three-week stay for traditional visitors. This three-week limit has been adopted as policy and is not anchored in legislation.

1.49 The DIMIA Office on Thursday Island has an excellent working relationship with Papua New Guinea agencies in Daru and the Treaty related villages. The cost of maintaining an Immigration presence in the Torres Strait for the last financial year was $948,313.

The Island Council

1.50 Under the *Community Services (Torres Strait) Act 1984*, the Island Council has powers to appoint island police to maintain order on the island and to remove any persons who are present on the island without the authority of the Island Council. If a member of the Police Force of Queensland is present in the area, the island police act under their direction.

1.51 Assistance may be sought from the Island Council to liaise with the visitor's Village Council to try and resolve any problems with the operation of the free movement provisions, such as inconsistencies with the pass system. Further problems may be raised at Traditional Inhabitants' Meetings (TIMs) which are chaired in rotation by the chairperson of each Island Council.

Other agencies

1.52 Managing the Treaty requires considerable cooperation between a range of Commonwealth agencies, most of which have an established presence in the region.

<u>Department of Foreign Affairs and Trade (DFAT)</u>

1.53 The DFAT Treaty Liaison Officer and their equivalent Papua New Guinean border liaison officer based at Daru are responsible for Treaty arrangements and liaison between the parties. They make recommendations and/or refer any matters affecting the implementation of Treaty provisions that cannot be resolved at the local level or require consideration by both parties.

<u>Australian Customs Service (Customs)</u>

1.54 Customs officers are authorised under the *Migration Act* to carry out immigration clearance functions on behalf of DIMIA. Customs has ten permanent staff based on Thursday Island. As part of its Coastwatch operations, Customs has two aircraft in the Torres Strait that conduct regular surveillance flights in the region.

1.55 This is supplemented with Coastwatch aircraft from Cairns and Darwin bases. Coastwatch also has two helicopters based on Horn Island to enable rapid deployment of Customs' personnel, and Coastwatch clients and representatives from other Commonwealth agencies to outer islands or vessels of interest. One of the helicopters is a twin-engine with night capability and is used for surveillance and responses.

1.56 Customs officers from Thursday Island maintain regular contact with communities on all Torres Strait Islands with programmed community contact visits.

<u>Australian Fisheries Management Authority (AFMA)</u>

1.57 AFMA officers and officers of the Queensland Fisheries Department administer state and federal legislation relating to fishing in the Torres Strait area. AFMA has no enforcement cell of its own but contracts QLD Fisheries to work on its behalf.

<u>Australian Quarantine and Inspection Service (AQIS)</u>

1.58 AQIS has established a Northern Australia Quarantine Strategy to prevent or minimise the risk of entry of exotic pests, diseases and weeds and employs local islanders as quarantine officers for initial quarantine checking. It encourages island communities to keep a watch on the movement of people and trade items in the Torres Strait which is a useful information source for DIMIA.

Royal Australian Navy / Australian Defence Force

1.59   Army and Naval officers are potential sources of intelligence gathering regarding possible breaches of the free movement provisions. The Department of Defence maintains a presence in the Torres Strait through Army and Navy personnel. A company of the 51st Far North Queensland Regiment operates from barracks on Thursday Island. The main role of the more than 100 part-time personnel in the company is to conduct surveillance operations and training.

1.60   The Navy has a full-time Resident Naval Officer and support staff of two located on Thursday Island. They provide support for naval activities in the region, including Fremantle Class patrol boat surveillance, hydrographic surveys, mine warfare and logistic support. A 20-metre patrol boat, *Malu Baizam*, is based out of the Island to assist in this role. Support is also provided to other defence activities in the region.

1.61   The small staff at the Island also take part in a range of maritime operations, including search and rescue, and provide a response platform for law enforcement agencies operating in the Torres Strait.

Queensland Police Force

1.62   The Queensland Police Force assist if detention arrangements need to be made at the Thursday Island police lock-up and may accompany DIMIA officers on compliance exercises.

Health arrangements for persons covered by the *Torres Strait Treaty*

1.63   The Free Movement provisions under the *Torres Strait Treaty* allow traditional visitors arriving at an Australian island access to Australian health services. The number of people travelling under the Treaty is estimated to be in the order of 10,000 per annum, of which approximately 4,000 seek access to health clinics on the islands.

1.64   Approximately 100 Papua New Guineans require medical evacuation to either Thursday Island or the mainland for specialist treatment each year. The main conditions for which transfer to Thursday Island is made are malaria, tuberculosis, injuries, respiratory conditions and complication of pregnancy. Patients are also referred on to the mainland for specialist treatment.

1.65   Once traditional visitors have been assessed by a Health Centre on an Australian island as requiring medical evacuation, DIMIA ensures that they remain lawful whilst receiving treatment. This process involves monitoring those staying on Thursday Island for less than five days and granting (on the provision they meet legislative criteria) either a Border visa for up to a one month stay or a Bridging Visa E for a longer stay. Once these persons have completed their medical treatment they are monitored to an exit point from Australia, ie. from an Australian Island such as Saibai or Boigu.

1.66   The Commonwealth Government, through its Medicare arrangements with the Queensland Government, provides funding to Queensland Health to offset costs incurred for Papua New Guinean medical evacuations.

1.67   Health arrangements for nationals not covered by the *Torres Strait Treaty* are discussed in Part 3 of this submission.

Part Two – Economic relationships

Term of Reference: Economic relations, including trade, tourism and investment

Introduction

2.1   This part explores the *economic relationships* between Australia and the South Pacific. It does so by focusing on permanent and temporary entry from the South Pacific region, specifically those Pacific-born persons entering Australia as skilled migrants, visitors, business people, students and skilled long-term temporary residents.

2.2   The level of skilled migration and temporary entry from the South Pacific region is small in the context of Australia's global immigration programs. There are, however, a number of visa categories, such as the Sports visa, in which representation from the South Pacific is high. Migration to Australia plays an important role in the lives of nationals of South Pacific countries, particularly where migration and temporary entry contributes to the development of skills and education, opens employment opportunities and enables the return of migrant remittance. Skilled migration and temporary entry also contributes to the Australian economy and helps consolidate international, social and cultural links between Australia and people of the region.

Australia's skilled migration program

2.3   In recent years, Australian immigration policy has focused strongly on attracting skilled migrants who can contribute to enhancing Australia's economy and international competitiveness. Australia's skilled entry programs have been streamlined to ensure the timely entry of migrants with skills in high demand, such as Information and Communications Technology (ICT) workers and medical care professionals. It is estimated that the Government's emphasis on skilled migration will deliver $6.7 billion in improved living standards for Australians by 2007-08. The 2001-02 Migration Program will contribute $3.7 billion over the next four years to the Commonwealth budget bottom line.

2.4   Australia has a non-discriminatory immigration policy, which means that anyone from any country can apply to migrate, regardless of their ethnic origin, their gender, colour or religion. There are different criteria for different categories of migrants, as codified in Australia's *Migration Regulations*. If a person satisfies Australia's selection criteria, he or she stands an equal chance of being selected, unless there is a cap imposed on the number of visas allocated to the particular category.

2.5   Applicants for skilled migration must generally satisfy a points test, have particular work skills, be nominated by particular employers or have other links to Australia, or have successful business skills and/or significant capital to bring to Australia to establish a business of benefit to this country.

2.6   All applicants for permanent entry to Australia must be assessed against Australia's health and character requirements, which are designed to exclude any person whose presence in Australia would not be in the interest of the Australian community.

Australia's temporary entry programs

Short-term stay

2.7   Many people enter Australia on a short-term temporary basis as tourists or students or on business trips. The Australian government is committed to assisting the entry of genuine tourists and family visitors. Tourism is Australia's fourth largest export industry and is vital to the economy. International tourism to Australia generated export earnings of an estimated $15 billion in 2000 - more than 11% of Australia's total export earnings. Tourism is projected to continue to grow strongly despite the hiatus following the events of 11 September 2001. There were 4.95 million international visitors in 2000, the year of the Sydney Olympic and Paralympic Games,10.9% more than in 1999.

Long-term stay

2.8   Australia's temporary residence program provides for the entry, for periods of up to four years, of people to come to Australia for purposes that result in benefit to Australia. These benefits derive from the work and other activities of temporary residents that contribute to the economic, cultural and social development of Australia and help to foster international relations and goodwill. Temporary residents bring to Australia new ideas, contacts, understanding, skills and technology – necessary if Australia is to remain competitive and integrated in a rapidly evolving global community.

2.9   The temporary residence program consists of three broad streams which provide benefit to Australia in unique ways:

- *Economic stream*: which allows employers to recruit skilled and key personnel from overseas to meet skills shortages;

- *Social and cultural stream*: which allows for the entry of people to take part in a range of sporting, entertainment, academic and cultural activities; and

- *International relations stream*: which fosters international relations by allowing for the entry of persons working for foreign governments and international organisations, persons entering under exchange, and persons undertaking occupational training to enhance their existing occupational skills.

South Pacific skilled migration

2.10   The Skilled Stream of Australia's Migration Program is specifically designed to target migrants who have skills or outstanding abilities that will contribute to the Australian economy. The migration to Australia of people with qualifications and relevant work experience addresses specific skill shortages in Australia and enhances the size, skill and "employability" factor of the Australian labour force. Please note that New Zealand citizens do not enter visa formal Migration Program and are not included in the discussion below.

2.11   The emphasis on skilled migration in Australia's Migration Program recognises the important contribution migrants make to the economic development of Australia in terms of growth and innovation, international competitiveness and exports and trade. Applicants for skilled migration are generally required to demonstrate a high level of skill, a strong employment history, English language ability, and they are usually under 45 years of age.

Skilled Stream visa grants to Fijian citizens

2.12   Other than New Zealand, Fiji is by far the major contributor of skilled migrants from the South Pacific. Table 7 shows that in 1999-00, there were 782 permanent skilled stream visa grants to Fijian citizens. In 2000-01, this number jumped by 55% to 1,213 visa grants. Skilled Stream grants to Fijian nationals made up over 3% of the global program last program year, up from 2.8% in 1999-00.

2.13   The largest visa category for skilled permanent migration from Fiji is the Skilled-Independent subclass. Program year 2000-01 saw a large intake of Fijians in the Skilled-Independent category relative to the previous and current program years. There were 111 grants to Fijian citizens in 1999-00 and 690 in 2000-01. Under the Skilled-Australia sponsored category there were 33 visa grants in 1999-00 and 199 in 2000-01.

Skilled Stream visa grants to Papua New Guinean citizens

2.14   Permanent Skilled Stream visa grant figures for Papua New Guinea and other countries of the South Pacific are very low in comparison to grants to Fijian citizens and relative to the global program. Table 8 shows that there were 58 skilled stream grants to Papua New Guineans in 2000-01, up from 12 grants in 1999-00.

Skilled Migration from Fiji and Papua New Guinea by skill level

2.15   Table 9 shows that, from 1996-97 until 31 March 2002, 4,563 persons from Papua New Guinea, Fiji and other South Pacific countries were visaed as skilled migrants under the points tested visa categories (subclasses 105, 106, 126, 136, 138 and 139).

2.16   By far the largest contributor is Fiji, with 92.5% of the total. Papua New Guinea ranks second with only 90 persons, or 1.9% of the total.

2.17   This figure includes family members granted visas in conjunction with the primary visa grant. The person whose skills were assessed for migration must have an occupation within Major Groups 1 to 4 of the Australian Standard Classification of Occupations (ASCO), although family members are able to work without restriction.   ASCO Groups 1-4 incorporate Managers and Adminstrators, Professionals, Associate Professionals and Tradespersons.

Short-term temporary entry from the Pacific

South Pacific Visitors

2.18   Where there are concerns that a visitor may overstay, or may not genuinely intend to stay for tourist purposes, a condition may be placed on the visitor visa restricting the eligibility of the visa holder to apply for further visas. This condition is more likely to be imposed on the visas of citizens from high-risk, non-Electronic Travel Authority (ETA) countries, such as Fiji and other Pacific countries.

Visa grants

2.19   In 1999-00, there was a total of 3,227,068 visitor visas granted globally and 75,290 visitor refusals. This figure increased in 2000-01 to 2,588,961 grants, with 77,604 refusals. At 31 March 2002, there were 2,588,961 grants and 51,398 refusals.

2.20   Table 10 indicates that the countries of the South Pacific (other than New Zealand) make up a relatively small proportion of total visitor visa grants, remaining steady at about 1% of total global visitor grants over the last three years. In 1999-2000, 37,841 visitor visas were granted to citizens of South Pacific countries. Low visitor numbers from this region in part reflect the fact that ETA facilities are not available for South Pacific countries.

2.21   The largest source country for South Pacific visitors is Fiji, although visitor visa grants to Fijian citizens declined from 14,998 in 1999-00 to 13,545 in 2000-01. This program year to 31 March there have been 10,503 grants. Papua New Guinea is the second highest source country for visitors from the region with 9,453 grants in 1999-00, 9,666 in 2000-01 and 6,134 at the end of March this program year.

Refusal rates

2.22   There has been a marginal decrease in visitor visa refusals over the last three years, from 3,384 in 1999-00 to 3,373 in 2000-01 and 2,861 to 30 March this year. However, visitor visa refusal rates for South Pacific countries remain relatively high in comparison to global refusal rates.   In 1999-2000, the average refusal rate across the South Pacific was 10%, compared to a global rate of 2.28%. In 2000-01, the refusal rate declined to 9.95% (global - 2.15%). The refusal rate in the current program year is just over 12% (global - 1.95%).

2.23   Refusal rates for Fijian citizens are high relative to most other South Pacific countries and global refusal rates. Refusal rates have risen from 12.65% in 1999-00 to 15.18% in 2000-01 and 17.06% in 2001-02. By contrast, refusal

rates for Papua New Guinea citizens were comparatively low (0.93%, 2.13% and 4.22% over the past three years).

Non-return rates

2.24   Fiji, Samoa and Tonga are currently on the Risk Factor List. The Risk Factor List is based on transparent and quantitative data that demonstrate that citizens of a certain nation present a higher overstay (non-return) risk than other entrants.

2.25   An applicant who matches the risk factor profile is required to provide a higher level of proof to satisfy DIMIA decision-makers that their intentions in visiting Australia are genuine and that they are unlikely to seek to remain, change their visas, work or overstay in Australia.

2.26   The non-return rates for Samoa and Tonga have decreased over the past three years. Notwithstanding all three countries' improving non-return rate performance for the year to date (31 March 2002) - Fiji is 4.81%, Samoa is 6.17% and Tonga is 3.9% - visa non-compliance rates for nationals of these three countries have remained significantly higher than those rates recorded for all other nationalities (1.86%). The Visitor visa non-return rate for Papua New Guinea has decreased from 3.08% in 1999-2000 to 3.07% in 2000-01 and 2.13% at 31 March 2002.

South Pacific Sponsored Visitors

2.27   The sponsored visitor visa was introduced on 1 July 2000 to enable individuals or organisations in Australia to formally sponsor visitors. It has been designed for people who may not be able to obtain a visitor visa due to doubt that they are genuine visitors who will abide by their visa conditions. An Australian sponsor can provide an undertaking that their visitor will abide by visa conditions, including that they depart Australia before their visa expires. In some cases, a financial security bond may be requested to ensure that the person leaves at the end of their visit.

Visa grants

2.28   There were 7,345 Sponsored Visitor visas granted in the first twelve months of the Sponsored Visitor visa program (2000-01), with 110 of those granted being from Apia (1.5% of the global total), 302 from Nuku'Alofa (4.1% of global total) and 662 from Suva (9% of global total) (see Table 11). Suva granted the third highest number of Sponsored Visitor visas globally in 2000-01 and Nuku'Alofa granted the ninth highest. In the 2001-02 program year (to 31 March 2002), Apia granted 37 Sponsored Visitor visas, Nuku'Alofa 240 and Suva 292, (0.6 percent, 4.1% and 5% of global grants respectively) compared to 5,816 grants globally.

Visa refusals

2.29   There were 5,056 Sponsored Visitor applications refused in 2000-01, with 27 of these being refused at the Apia Mission (0.5% of global refusals), 91 from Nuku'Alofa (1.8%) and 227 from Suva (4.5%). At 31 March 2002, Apia had

refused 37 Sponsored Visitor visas, Nuku'Alofa refused 66 and Suva refused 203 (1%, 1.7% and 5.4% respectively of global refusals) with a total of 3,744 being refused globally.

Non-return rate

2.30 The increase in refusals coincides with a major reduction in the non-return rate for Sponsored Visitor visas for Apia, Nuku'Alofa and Suva from 18.52%, 10.62% and 11.04% respectively in 2000-01 to 12.5%, 6.6% and 5.9% in the current program year to 31 March 2002. Nuku'Alofa and Suva's non-return rate are almost in line with the global non-return rate for 2001-02 (to 31 March 2002) of 4.81%, which is a reduction from 8.24% for the 2000-01 program year.

Student entry from the South Pacific

2.31 The student visa program enables overseas students to come to Australia to undertake full-time study in registered courses in Australia. Programs which enable students to study abroad create ties at a more personal level than formal international diplomacy. Educational interchange by students offers an ideal opportunity for people to increase their knowledge of other cultures and languages. Latest Australian Bureau of Statistics figures estimate the export education industry to be worth over $4 billion to Australia.

2.32 There has been significant growth in the demand to study in Australia, reflected in successive yearly increases in student visa grants. Australia attracted a record 146,577 overseas students (onshore and offshore) in 2000-01 which represents a 23% increase in total visa grant numbers over 1999-00.

Visa grants to South Pacific countries

2.33 In 1999-00, there was a total of 73,794 student visas granted offshore globally. This figure increased by 16% in 2000-01 to 85,900. At 30 April 2002, there have been 62,064 grants.

2.34 Table 12 indicates that the countries of the South Pacific (other than New Zealand) make up a relatively small proportion of offshore student visa grants, representing less than 2% over the last three program years. In 1999-00, 1,356 visas were granted to citizens of South Pacific countries, increasing by 4% to 1,409 in 2000-01. There were 992 offshore student visas granted to 30 April 2002.

2.35 The largest source country for students from the South Pacific is Papua New Guinea, with 713 visa grants in 1999-00, 719 visas in 2000-01 and 504 visas at 20 April 2002. Fiji is the second highest source country with 330 grants in 1999-00, 420 in 2000-01 and 196 at the end of April this year.

2.36 The South Pacific is a significant source of AusAID student visa holders. This program is discussed in more detail in Part Three of this submission, *Cooperative Relationships*.

English language requirements

2.37 Some student visa applicants are required to sit an International English Language Testing System (IELTS) test of English language proficiency. IELTS testing facilities are currently available in Fiji (2) and New Zealand (11). There is also an examiner based in New Caledonia. Student visa applicants from Papua New Guinea are not required by DIMIA to undergo IELTS testing as part of the student visa process (due to their low immigration risk rating).

Business Visitor entry

2.38 The Temporary Business (Short Stay) subclass 456 visa is a streamlined visa for genuine business people who seek short-term entry (up to three months) to Australia for business purposes such as conducting business negotiations, signing business contracts or attending conferences or meetings in relation to their field of employment.

2.39 The visa permits work that might not otherwise be carried out by an Australian and that will not have adverse consequences for employment or training opportunities, or conditions of employment, for Australians. The subclass 456 visa is available for either single or multiple entry to Australia. Applications are made at an Australian visa office overseas and the applicant must be outside Australia at the time of application.

Visa grants

2.40 In 1999-00, there were a total of 113,757 non-ETA business visitor visas granted globally and 11,038 business visitor refusals. This figure increased in 2000-01 to 123,295 grants, with 11,353 refusals. At the end of April 2002, there were 113,404 grants and 9,509 refusals.

2.41 Table 13 indicates that the countries of the South Pacific (other than New Zealand) make up a relatively small but growing proportion of total business visitor visa grants – approximately 3.42% of global non-ETA business visitor grants in 1999-00, 4.11% in 2000-01 and 3.74% at the end of the April this year. In 1999-2000, 3,899 business visitor visas were granted to citizens of South Pacific countries, increasing by 30% to 5,078 in 2000-01 and reaching 4,247 at 30 April 2002.

2.42 Fiji and Papua New Guinea are the largest source countries for South Pacific business visitors, with very similar grant figures over the last three years. These two countries contribute over 63% of business visitor visa grants from the region. In 1999-00, there were 1,318 visas granted to citizens of Fiji, increasing by 17% to 1,548 in 2000-01. At the end of April this year, there have been 1,303 business visitor grants. There were 1,297 visas granted to Papua New Guinean citizens in 1999-00, increasing by 23% to 1,603 visas in 2000-01 (with 1,324 granted at 30 April 2002).

Refusal rates

2.43 The refusal rates of subclass 456 visa applications for nationals of the South Pacific Island nations have remained well below the global average in the past

three program years with 3.02% refusal rate in 1999-00 compared to the global rate of 8.84%, 2.2% in 2000-01 (global - 8.43%) and 3.07% to the end of April this year (global - 7.74%).

2.44 Refusal rates for Papua New Guinean nationals were particularly low (less than 0.40% over the last three years) given the significant volume of entrants from this part of the region. The refusal rate for Fijian citizens was noticeably higher than the average rate for the region – (4.49%, 4.39% and 5.85%).

Non-return rates

2.45 The Business visitor visa non-return rate for the South Pacific Island nations has decreased over the past two years, from 2.52% in 2000-01 to 2.17% to the end of April this year. This is slightly higher than the global non-return, which has decreased also from 2.00% to 1.67% over the same period.

2.46 The Business visitor visa non-return rate for Papua New Guinea has fluctuated over the past three years, from 1.05% in 1999-00 to 0.69% in 2000-01 and 0.96% this year to 30 April 2002. Papua New Guinea nationals' visa non-compliance rates have remained well below those rates recorded for all other nationalities (2.05% in 1999-00, 2.00% in 2000-01 and 1.67% to the end of April this year).

Long-term temporary residence

Business (Long Stay) Temporary Entry

2.47 The Temporary Business (Long Stay) subclass 457 enables Australian businesses to sponsor skilled temporary workers. Arrangements for the entry of skilled temporary workers are designed to maximise employment and training opportunities of Australians, protect the Australian community from financial cost, and maintain immigration integrity.

Targeted at the highly skilled

2.48 On 1 July 2001, minimum skill and salary thresholds were introduced for the 457 visa to streamline processing arrangements and to ensure that the program remained targeted at the highly skilled. The skill threshold requires that positions nominated under the subclass 457 visa to be filled fall within a range commensurate within Occupational Groups 1–4, according to the Australian Standard Classification of Occupations. These groups include Managers and Administrators, Professionals, Associate Professionals and Tradespersons.

2.49 Some governments in the South Pacific, Tonga for example, have approached Australia to petition for the establishment of a guest worker scheme which would enable low-skilled workers to enter Australia to work on a temporary basis. The type of work usually envisaged under such a scheme is seasonal work in agricultural sectors. DIMIA has responded to these calls by affirming that Australia does not have a guest worker scheme to bring in lower skilled workers from overseas and does not support any type of guest worker scheme that brings unskilled foreign workers into Australia.

2.50   Labourers and related workers (based on last occupation held) have the highest unemployment rate of any occupation group at over 10%, well above the overall national rate. By contrast, skilled workers have low levels of unemployment. Given the relatively high rate of unemployment amongst low skill people in Australia, the consistent position of successive Australian Governments has been to resist the introduction of low-skill guest worker schemes such as those that have been used in Europe, North America and in New Zealand.

2.51   The experience of other countries suggests that low-skill guest worker schemes fail to provide long-term benefits for either sending or receiving countries. While the temporary entry of unskilled guest workers may be seen to provide a short-term economic benefit by meeting labour needs during exceptional peaks in demand, long-term use may have undesirable consequences for receiving countries. Some of those issues include a structural dependence on foreign labour; removing incentives for rationalisation and technological change; and postponing improvements in education and training. Semi and unskilled guest workers are also open to exploitation and abuse.

Temporary Business (Long Stay) entry from the Pacific

2.52   South Pacific countries do not feature heavily in the 457-visa program. Combined, they accounted for less than one percent of the global program (see Table 14). There were 214 grants to citizens of South Pacific countries in 1999-00, 354 grants in 2000-01 and 226 to the end of April this year, against a global program that has ranged between 34,000 and 37,000 over the last three years.

2.53   Of all countries in the region, Fiji has the most significant figures (over half the grants for the region as a whole), with 115 visa grants in 1999-00, 248 in 2000-01, and 167 to the end of April this year. Visa grants to citizens of Papua New Guinea measured 82 in 1999-00, 71 in 2000-01 and 39 to the end of April this year.

Medical Practitioners

2.54   The Medical Practitioner (subclass 422) visa is aimed at suitably qualified medical practitioners from overseas who satisfy labour market requirements. Temporary entry policy for the entry of medical practitioners will have a much greater focus on providing service to rural and remote communities.

2.55   There were 99 subclass 422 visa grants to citizens of Fiji in 2000-01 and 70 grants at 30 April 2002. There were 16 subclass 422 visa grants to Papua New Guinean citizens in 2000-01. These two source countries accounted for 0.40% of global 422 visa grants in 1999-00, 3.4% in 2000-01 and 2.5% in 2001-02 (at 30 April 2002)

Sportspersons

2.56   The Sports (subclass 421) visa enables the temporary entry of high calibre sports people from other countries to engage in competition with Australian residents, and to improve the quality of a sport in Australia through participation in high-level competition and training. About 6,400 of these visas were granted in 2000-01. Sponsorship is required for sports people entering as players, coaches and instructors and in the majority of other cases where a stay of over three months is planned.

2.57   The present visa criteria require that players entering Australia have an established reputation in their sporting field. The intention is that those who are planning to stay temporarily in Australia to play for Australian teams be elite sports people.

Visa grants to Fijian and Papua New Guinean citizens

2.58   Fiji has been the major source country in the South Pacific region for entry of sports people over the past three years (Table 15). In 1999-2000, 737 Sports visas were granted to Fijian citizens. In 2000-01, this decreased to 127 grants. At 30 April 2002, the number of grants had risen to 259 grants.

2.59   Papua New Guinea has been the principal source of sports people over the last two program years. Whilst 188 visas were granted in 1999-00, this number rose to 394 in 2000-01 and 297 visas this program year.

Visa grants to the South Pacific region

2.60   Samoa, Solomon Islands and Tonga also contribute strongly to total grants for the South Pacific region. Samoa has been the third largest source country for Sportspeople since 1999-00 (219, 245 and 161 visa grants), followed by the Solomon Islands (93, 87, and 99 visa grants).

2.61   In 2000-01, the South Pacific region accounted for over 15% of the global total of Sports visa grants (6,398). This program year, this figure has jumped to over 25% of the total program. Grants from the region have remained consistent (948 at 30 April this year) whilst the global program has declined sharply (3,652 visa grants to date), which likely reflects the larger numbers of visa grants experienced globally as a result of the lead up to the Olympic Games.

Other temporary residence categories

2.62   South Pacific countries make up a very small proportion of the global temporary entry program, although some countries in the region do have disproportionate representation in certain categories.

Entertainers

2.63   The Entertainment (subclass 420) visa allows for the entry of entertainment personnel involved in specific performances or productions in Australia,

enabling community access to a wide range of overseas cultural events and activities.

2.64 In 2000-01, 8,814 Entertainment visas were granted. Of these, Papua New Guinean citizens accounted for 132 grants - 1.5% of the global total. Fijian citizens accounted for 33 grants - 0.4% of the global total. Whilst the numbers are small relative to the global program, they are significant in comparison to other temporary residence categories. The Pacific Region makes up just over 2% of total visas granted under the Entertainment category (Table 15).

Occupational Trainees

2.65 The Occupational Trainee (subclass 442) visa enables Australian employers to provide structured, workplace-based training opportunities in areas not available overseas. These opportunities are designed to further enhance existing occupation skills to be applied on return to their home country.

2.66 Table 15 shows that there were 66 Occupational Trainee visas granted to Fijian citizens in 1999-00, 75 in 2000-01 and 43 at 30 April this year. There were 49 Occupational Trainee visas granted to Papua New Guinean citizens in 1999-00, 95 granted in 2000-01, and 46 granted at 30 April 2001-02. Over the past three program years, the Pacific Region makes up just under 4% of the global Occupational Trainee program.

Part Three – Cooperative relationships

Term of reference - Development cooperation relationships with various states of the region, including the future direction of the overall development cooperation program

Introduction

3.1   As the major contributor of aid to the South Pacific, Australia plays an influential role in the political, economic and social development of countries in the region. Debate concerning Australia's relationship with the South Pacific has recently focused upon agreements between Australia and Papua New Guinea and Nauru to establish offshore processing arrangements for asylum seekers. From an immigration perspective there are many other positive aspects of our engagement with the region, particularly Australia's recent work to improve border control capabilities of Pacific Islands countries through direct bilateral support and through participation in a regional of multilateral fora, such as the Pacific Immigration Director's Conference (PIDC). DIMIA also administers specific visa categories, such as the AusAID student visa, which aim to enhance the depth of local skills available to these countries.

3.2   This part examines the *cooperative relationships* that Australia has built with countries in the region. It provides current background on the implementation of the "Pacific Strategy", discusses Australia's bilateral capacity building activities in relation to Papua New Guinea and Fiji and outlines the progress of multilateral groups formed around immigration issue of regional concern.

Offshore asylum seeker processing: the "Pacific Strategy"

Agreements between Australia, Papua New Guinea and Nauru

3.3   The Department of Foreign Affairs and Trade (DFAT) was responsible for the development and negotiation of agreements with Nauru and Papua New Guinea in relation to the offshore asylum seeker processing. DIMIA's role in this process was limited to providing advice on the draft agreements prior to finalisation.

Nauru

3.4   The processing centre in Nauru was established on 10 September 2001 following the signing, on that day, of an Administrative Agreement and Statement of Principles. The agreement provided for Nauru to accommodate up to 800 asylum seekers for processing until 1 May 2002.

3.5   A Memorandum of Understanding (MOU), replacing the Administrative Agreement, was signed on 11 December 2001. Key provisions of the MOU include:

- up to 1,200 asylum seekers to be accommodated on Nauru at any one time;

- asylum seekers to be processed within six months of their arrival in Nauru, or as short a time as is reasonably necessary for implementation of the MOU;

- all persons processed in Nauru to have departed Nauru within this six month period or as short a time as is reasonably necessary for implementation of the MOU;

- continuation of the MOU until terminated by either party. It is understood that the date for termination will be mutually determined to allow for an orderly termination of activities.

Papua New Guinea

3.6   The MOU with Papua New Guinea was finalised on 12 October 2001. The MOU guaranteed that all persons entering Papua New Guinea will have left after six months of entering Papua New Guinea, or as short a time as is reasonably necessary.

3.7   Australia undertook to bear all reasonable costs incurred by Papua New Guinea related to activities conducted under the MOU. A trust fund of $1 million, administered by both Australia and Papua New Guinea, was established to meet Papua New Guinea's costs associated with operations at the processing centre.

3.8   In mid-January 2002, the Papua New Guinean government agreed that 1,000 asylum seekers may enter Papua New Guinea under the MOU. The period of operation of the MOU was also extended from 6 to 12 months, effectively ensuring that the processing facility will operate until October 2002.

3.9   Under the terms of the MOU, a facility was established in the Lombrum Naval Patrol Boat Base on Los Negros Island, Manus Province, to accommodate and process asylum seekers. To establish the facility, work was required to develop the physical infrastructure necessary to house the asylum seekers and processing staff, and to ensure that sufficient health facilities and utilities were available for the well-being of the asylum seekers and efficient operation of the centre. The benefits of the work are not limited to the processing centre only. Many of the improvements to the health services and utilities have also improved services to the local community and provide an enduring community legacy.

3.10   Improvements to infrastructure include upgrading electricity, water and sewerage systems. Additional improvements have been made to the base hospital and Papua New Guinean Defence Force buildings on the base. Costs of these improvements are being met from within the forecast budget for Manus processing for the financial year 2001-02.

Status of asylum seekers in Papua New Guinea and Nauru

3.11   The immigration arrangements permitting entry and stay in both Papua New Guinea and Nauru for the asylum seekers are the responsibility of the

respective governments. Asylum seekers were initially provided with special purpose visas in both countries and these visas restricted the asylum seekers to defined areas although, in practice, they have been beyond the facilities. This has occurred, for example, in relation to beach excursions and attendance at local schools for asylum seekers in Nauru and for transfer to Port Moresby for medical treatment.

Management of offshore processing centres

3.12 At the request of the governments of Papua New Guinea and Nauru, the offshore processing centres (OPCs) at Manus and Nauru are being managed by the International Organisation for Migration (IOM) which has a long history of providing care to asylum seekers.

Offshore processing centre arrangements

Obligations under the refugee convention

3.13 Australia's protection obligations extend to refugees who have entered Australia's jurisdiction by entering its territorial seas. Australia's protection obligations under the Refugees Convention are not engaged by individuals who have not entered Australia's territory and there is no obligation to allow asylum seekers to enter Australian territorial boundaries.

3.14 Australia is not itself obliged to process any claims for protection nor is it under any obligation to process such claims in Australia. Furthermore, Australia is not obliged to provide permanent residence to those who are refugees.

3.15 Any asylum seekers on vessels that enter Australian territorial waters engage Australia's non-refoulement obligation under Article 33 of the United Nations Refugees Convention and are able to access fair and effective refugee determination procedures. Article 33 prohibits the return of a 'refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion'.

3.16 The new legislation underpinning the Pacific strategy has two mechanisms that reflect Australia's obligation under Article 33 of the Refugees Convention. The first mechanism is the ability to take *offshore entry persons* (that is, unauthorised arrivals on excised offshore places) to another country which the Minister has declared in writing under s198A of the *Migration Act 1958* (the Act) to be a country which:

- provides access, for persons seeking asylum, to effective procedures for assessing their needs for protection;

- provides protection for persons seeking asylum, pending determination of their refugee status;

- provides protection to persons who are given refugee status, pending their voluntary repatriation to their country of origin or resettlement in another country; and

- meets relevant human rights standards in providing that protection.

3.17   This process is underpinned by comprehensive bilateral agreements which ensure that individuals are safe from return to the country from which they fear persecution and receive safe and appropriate care and support while their claims for refugee protection are assessed. The process also allows for those found to be refugees to remain in declared countries while resettlement arrangements are being pursued with possible countries of resettlement.

3.18   Papua New Guinea and Nauru are currently declared countries under s198A of the Act.

3.19   The second mechanism is the framework to enable the Minister for Immigration and Multicultural and Indigenous Affairs to decide under s46A of the Act whether to allow unauthorised arrivals on excised offshore places (offshore entry persons) to make an application for a visa while they are in Australia, following consideration of protection obligations under the relevant United Nations Conventions. Section 46A underpins the process of informing the Minister about whether an offshore entry person engages protection obligations to enable him to make a judgment about whether he will exercise his public interest powers and enable an application for a visa for Australia to be made.

3.20   As flagged above, Australia's non-refoulement obligation does not require the provision of permanent residence to refugees or that they be resettled in Australia.   However, if other countries are unable or unwilling to provide protection against non-refoulement for refugees who had entered Australian territorial waters seeking asylum, Australia is obliged to ensure that the Convention protection is provided.

Protection Arrangements with Papua New Guinea and Nauru

3.21   Papua New Guinea and Nauru have been declared by the Minister under s198A of the Act. Nauru is not a signatory to the 1951 UN Convention and 1967 Protocol relating to the Status of Refugees. Papua New Guinea is a signatory State.

3.22   Australia signed an MOU with the Governments of Nauru and Papua New Guinea whereby those countries have undertaken to allow asylum seekers to remain on their territory to enable processing of their claims for protection. Australia has provided assurances to each country that those persons taken there and assessed against the Refugees Convention criteria will not remain once the assessment and resettlement processes have been completed.

3.23   As a signatory to the Refugees Convention, Papua New Guinea is obliged to consider providing protection to any person seeking asylum there. To date, none of those who are being processed on Manus Island has sought Papua

New Guinea's protection. Nevertheless, Australia has implemented mechanisms to train Papua New Guinea officials in refugee status determination matters should there be any requests for asylum in Papua New Guinea.

Asylum seeker numbers

Papua New Guinea (Manus)

3.24 At 28 June 2002, the total number of asylum seekers in Manus was 340. This number comprised 318 Iraqis, 6 Turks, 6 Bangladeshis, 4 Iranians, 2 Pakistanis, 2 Syrians and 2 Palestinians. Of the total population, 116 were minors. Four persons from Manus have returned home voluntarily.

Nauru

3.25 At 28 June 2002, there were 1,084 asylum seekers in Nauru. This number comprised 745 Afghanis, 291 Iraqis, 27 Palestinians, 15 Iranians, 5 Sri Lankans and 1 Pakistani. Of the total population, 227 were minors. Fifty-nine persons were transferred from Nauru to New Zealand on 9 May. Ten persons from Nauru have returned home voluntarily, including 7 under the re-integration package arrangements, and 17 have been offered temporary protection in Australia.

Refugee Status Determination Processing

3.26 On Nauru processing of refugee status determination has been conducted by both UNHCR and DIMIA. On Manus it has been conducted by DIMIA only.

3.27 As of 28 June, protection claims for some 1,479 asylum seekers on Manus and Nauru had been decided. Twelve persons in total were still awaiting decision.

3.28 As at 28 June, there were 515 approvals and 964 refusals:

- 432 Iraqis, 55 Afghans and 28 from other nationalities had been found to be refugees; and

- 214 Iraqis, 697 Afghans and 53 others had been found not to be refugees

3.29 The Australian Government and the United Nations High Commissioner for Refugees (UNHCR) are in discussion with possible resettlement countries on behalf of persons found to require protection. It is not possible to say how long this process will take. Australia has indicated it will take its fair share and 17 persons from Nauru have now been provided with temporary protection in Australia.

3.30 New Zealand transferred a total of 59 persons from Nauru on 9 May. As of 28 June, New Zealand is considering a further 130 persons from Manus and Nauru for their September 2002 intake. UNHCR has also referred 25 Afghan refugees to New Zealand and referred 9 people with Canadian links to Canada. UNHCR is proposing to refer 14 people with Nordic links and two

Afghan refugees to Nordic countries and 3 people with US links to the US.

Return

3.31 Persons found not to be refugees have the opportunity to seek a review of that decision. If they are still found not to be refugees they will be expected to leave as soon as circumstances permit. There have been fourteen voluntary returns to date and interest shown by others. A reintegration package for returning Afghans was announced on 23 May. The package is also available to asylum seekers of other nationalities in Manus and Nauru who are undergoing assessment of protection claims or who have received negative decisions. Seven Afghans have left Nauru under the package arrangements and an additional 27 persons have signed voluntary reintegration papers.

Future developments

Duration of refugee determination and resettlement processing

3.32 It is not possible to give a firm indication of how long the processing of asylum seekers will take. However, it is expected that a significant number of persons will be removed or resettled over the next few months, including further numbers resettled in Australia.

Smuggling activities

3.33 The anti-people smuggling strategy adopted by Australia in cooperation with other countries in the region, has resulted in a virtual cessation of attempts by asylum seekers to enter Australia illegally by boat. The people-smuggling rings have been confounded by the disruption and have had to abandon their usual *modus operandi* to seek alternative methods.

3.34 As well, global developments, such as the removal of the Taliban regime in Afghanistan and more rigorous security measures at borders generally since the terrorist attacks of September 11, have had a restraining effect on the smuggling pipelines. This has resulted particularly in a reduction in the number of Afghans entering the pipeline.

3.35 However, the people smuggling infrastructure in Indonesia and other countries is still in place and can be re-activated if smuggling opportunities present themselves. For that reason it is essential that we maintain our current border protection strategies.

Costs

3.36 The total cost of third country offshore processing for 2001-02 was around $80m.

Bilateral cooperation with Papua New Guinea

3.37 Papua New Guinea is one of the key countries to the north of Australia that are transit points for illegal migrants seeking to enter Australia. The numbers of illegal arrivals from Papua New Guinea are currently very low. However,

Papua New Guinea remains a concern for Australia because its immigration processing and border management capacity is not well-developed. These factors, together with the increasingly sophisticated operational techniques employed by people smugglers, represent a significant border management risk. Consequently, encouraging and assisting in the development of a sound immigration and border control regime in Papua New Guinea is a key priority for Australia.

Recent cooperation on border management issues

3.38   Australia's bilateral cooperation with Papua New Guinea on immigration and border control issues has strengthened considerably in the past few years. A number of significant bilateral events have taken place in the past year.

3.39   A multi-agency delegation was led by the DIMIA Secretary to Port Moresby in May 2001 to discuss areas of possible assistance to enhance Papua New Guinea's immigration and border management system, especially to improve its capacity to combat irregular migration and people smuggling.

3.40   Minister Ruddock met with Minister Pundari, the then Foreign Minister of Papua New Guinea, on 20 July 2001 in Sydney to discuss a range of migration related issues. Measures agreed in the meeting included:

- the proposed conclusion of an MOU facilitating cooperation between Australia and Papua New Guinea on refugee, irregular migration and people smuggling issues; and

- the provision of assistance to Papua New Guinea, through a suitably qualified and experienced consultant, to review its legislation on immigration, citizenship and passports.

Review of immigration legislation

3.41   Australia has agreed to provide a suitably qualified and experienced consultant to assist Papua New Guinea with a proposed review of its legislation on immigration, citizenship and passports.

3.42   DIMIA invited submissions from selected legal consultants for the review. An Assessment Panel with representation from the relevant areas of the Department and AusAID was established to undertake the technical assessment of the submissions. Papua New Guinea has been advised of the outcome of the tendering process and their agreement has been sought for the appointment of the preferred consultant.

3.43   It is expected that the outputs delivered by the consultant would include:

- amended draft legislation with changes consistent with the current and long-term needs of Papua New Guinea to address immigration, passports and citizenship issues, including irregular migration and people smuggling; and

- a report containing a detailed analysis of the implications of the proposed changes, particularly for the capacity of Papua New Guinea to address irregular migration and border management issues effectively, and to participate in bilateral and multilateral initiatives on such issues internationally and in the region.

3.44 On 28 September 2001, a draft of an MOU and a project brief for the review of Papua New Guinea immigration legislation were provided to the Secretary of Papua New Guinea Foreign Affairs and copied to Mr Igara, the Chief Secretary of the Prime Minister's Department in Papua New Guinea. The draft MOU is still being considered by the Papua New Guinea Government.

3.45 A range of measures has been put in place to assist Papua New Guinea improve its border management capacity. These include the provision of training, equipment and information sharing. The delivery of assistance for this purpose will be intensified once an MOU with Papua New Guinea on bilateral cooperation on immigration matters is concluded.

Bilateral cooperation with Fiji

Recent progress on Immigration and border control issues

3.46 Fiji recently expressed its willingness to play an active role in combating people smuggling in the region. Minister Cokanasiga, the Fijian Minister for Home Affairs and Immigration, who attended the Regional Ministerial Conference in Bali, expressed his satisfaction with the outcomes of the Conference.

3.47 Minister Cokanasiga announced that Fiji has expressed its intention to put in place effective legislative measures against people smuggling. DIMIA intend to offer our assistance to Fiji through the provision of legal expertise for this purpose.

3.48 DIMIA, in conjunction with the AFP, has been providing capacity building assistance to Fiji and other members of the Pacific Islands Forum. DIMIA would be willing to consider any request from Fiji for further assistance in this regard.

3.49 Mr Orisi Ravuso, a senior immigration official from Fiji, visited Australia during 7-10 May 2002 to discuss bilateral cooperation between the two countries on immigration and border management issues.

- Mr Ravuso visited the clients services area in the Queensland State Office of DIMIA on 7 May 2002. Later, he was also given a tour of the passenger clearance operations at the Brisbane international airport.

- Mr Ravuso and the officials from the Fiji High Commission had meetings with a number of DIMIA officials from the Department's Border Control and Compliance and Parliamentary and Legal Divisions on 8 May 2002.

- The Fijian officials attended a presentation on Australia's Refugee and Humanitarian Program, and later had a meeting with the Assistant Secretary, International Cooperation Branch, to discuss bilateral cooperation between the two countries on immigration and border management.

- The visit concluded on a positive note, with both sides agreeing to consider the conclusion of an MOU to establish a framework to facilitate future cooperation on immigration and border control issues between the two countries.

Bilateral cooperation with Tuvalu

"Environmental refugee" issue

3.50　In July 2001, Tuvalu proposed that Australia should consider putting in place special immigration provisions to assist the people of Tuvalu seeking to migrate to Australia. They attributed their proposal to the claim that the rising sea-level is expected to make Tuvalu unsuitable for human habitat.

3.51　While Australia is committed to fulfilling its humanitarian obligations as a member of the international community, it should give priority to those who require assistance urgently. The threat to Tuvalu's population from a possible rise in sea-level would appear to be a long-term one which should be monitored closely but is not one that requires urgent action at this time.

3.52　Consistent with the existing scientific evidence, the claim of rising sea-levels is refuted by the data collected by an AusAID funded sea-level monitoring project in Tuvalu. DIMIA will continue to monitor the information arising from the project.

3.53　If the situation in Tuvalu, caused by a rising sea-level, were to deteriorate rapidly requiring prompt action, Australia would be a part of a global response to assist the people of Tuvalu.

3.54　We already have in place a range of programs to deliver humanitarian assistance, and there is no need to put in place any additional measures to respond to the situation in Tuvalu.

Multilateral cooperation with the South Pacific

Asia-Pacific Consultations (APC) on Refugees, Displaced Persons and Migrants

3.55　The APC was initiated in Canberra in 1996 at a Conference on Regional Approaches to Displaced Persons in Asia. The APC is a multilateral forum which aims to promote dialogue and explore opportunities for greater regional cooperation on matters relating to population movements, including refugees, displaced persons and migrants.

3.56　Most countries in the South Pacific region have been participating actively in the plenary and sub-regional meetings of the APC, including the 6th Plenary of

the APC which took place in Manila in December 2001. The Plenary emphasised the need for strengthening multilateral cooperation to improve the effectiveness of initiatives against people smuggling and irregular migration in the region.

3.57   The 7th Plenary of the APC will be chaired by Vietnam and held in Hanoi on 21 and 22 November 2002.

3.58   Meetings of the APC's South Pacific sub-region have been held in Christchurch (2000) and Apia (2001). It is anticipated that the third South Pacific sub-regional meeting of the APC will be held in Fiji in October 2002. Fiji is an enthusiastic participant and demonstrated its commitment to the APC at last year's plenary meeting in Manila. The focus on this year's South Pacific sub-regional meeting will be on international cooperation and developing regional strategies to reduce irregular migration and combat people smuggling.

3.59   Australia has encouraged countries in the Asia-Pacific region, including Pacific Island countries, to participate in APC plenary and sub-regional meetings.

3.60   In April 2001, APC participants, including South Pacific governments, met with participants of the Inter-Governmental Consultations on Asylum, Refugees and Migration Policies in Europe, North America and Australia (IGC). The joint meeting in Bangkok was a DIMIA initiative and put in train a process of inter-regional consultations. A second APC/IGC meeting is planned for early 2003 that will bring South Pacific governments into the global debate on people smuggling and irregular migration.

Regional Ministerial Conference - Bali

3.61   DIMIA played a leading role in the organisation and success of the Regional Ministerial Conference on People Smuggling, Trafficking in Persons, and Related Transnational Crime held in Bali from 26 to 28 February 2002. The Conference was co-chaired by the Minister for Foreign Affairs, the Hon Mr Alexander Downer MP and his Indonesian counterpart, His Excellency Dr Hassan Wirajuda.

3.62   The conference was an outstanding success with the co-chairs statement confirming a commitment to combating people smuggling and related transnational crime. States within the region agreed to work towards this through close cooperation on a range of issues including the strengthening of legislation to criminalise people smuggling and trafficking and agreement on cooperative action in practical fields such as information and intelligence sharing, law enforcement, border management and return arrangements.

3.63   The conference was attended by a large and diverse range of ministers and senior officials covering source, transit and destination countries:

- thirty-eight minister or ministerial equivalent representatives from 36 participating countries;

- the directors-general of IOM and Interpol and the United Nations Assistant High Commissioner for Refugees;

- thirty countries and international organisations attended as observers. Of these, eight were from the South Pacific: Fiji, Kiribati, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, and Vanuatu;

- in total, over 340 delegates were registered.

3.64 DIMIA, working closely with the Ambassador for People Smuggling, DFAT and other Government agencies, has since played a decisive role in translating the enthusiasm of the Conference into practical outcomes, providing support to the chairs of the two Ad Hoc Experts' Groups. Group 1, chaired by New Zealand, focuses on international and regional cooperation, and Group 2, chaired by Thailand, is focusing on practical measures in areas such as document fraud, harmonisation of legislative frameworks, police cooperation, capacity building and intelligence sharing.

Pacific Immigration Director's Conference (PIDC)

3.65 The Pacific Immigration Director's Conference (PIDC) was formed in 1996. It is an annual meeting of heads of immigration services of Pacific Island countries and Papua New Guinea, New Zealand and Australia. The purpose of the PIDC is to encourage consultation, cooperation, communication and liaison among immigration agencies in the region. It aims to promote coordination of regional policy implementation, the dissemination of information and exchange of technical assistance. PIDC also liaises with other regional and international organisations such as the Oceania Customs Organisation (OCO), the South Pacific Chiefs of Police Conference (SPCPC), Interpol, IATA, PACRIM and relevant United Nations agencies.

DIMIA engagement with the immigration services of the PIDC

3.66 In 1999, the then Regional Director of the DIMIA Visa Office in Suva attended the PIDC. He reported the major focus of the PIDC was border control, immigration law enforcement and management of illegal migration. DIMIA's Border Protection Branch has participated in the last two PIDC meetings, held in November 2000 and November 2001, at the request of the then Overseas Regional Director, Suva.

3.67 Following the first PIDC it attended in 2000, Border Protection Branch has taken a strong initiative in supporting this forum as a vehicle for effective engagement on immigration control issues across the region.

3.68 The spread, cohesion and the efficacy of other fora in the region such as the Oceania Customs Organisation (OCO), South Pacific Chiefs of Police Conference (SPCPC), and the Pacific Islands Forum Secretariat (PIFSec), reflects regional commitment to effective partnerships. Strong linkages with these fora have been established and fostered and provide opportunities for the PIDC to enhance its stature, continuity and financial planning.

PIDC conference, November 2001

3.69 The 5th PIDC, held in Rarotonga, Cook Islands from 13-16 November 2001, was attended by delegates from the immigration services of the PIDC, Australia, the Cook Islands (Edwin Pittman as Chair), Fiji Islands, Kiribati, Nauru, New Zealand, Niue, Norfolk Island, Papua New Guinea, Samoa, the Kingdom of Tonga, Tuvalu and Vanuatu.

3.70 Observers attended from the PIDC Forum Secretariat (Law Enforcement Liaison Officer), OCO, UNHCR, Liaison Officer (NZ), SPCPC, Canadian Immigration, and the New Zealand Ministry of Foreign Affairs and Trade.

3.71 The 2001 Conference agenda focussed on the need for members to work closely with other national and international agencies to address immigration and security concerns and law enforcement related issues affecting member countries, including:

- people smuggling and other transnational crime in the region;

- regional security in the post-September 11 environment (including the UN Convention against Transnational Organised Crime – Palermo Convention and UN Security Council Resolution 1373 on Terrorism);

- management of refugee claimants;

- information exchange;

- procedures for establishing identity of PIDC nationals and non-nationals; and

- organisational structure and Secretariat support arrangements.

Outcomes of meeting of PIDC 2001

3.72 At the last 2001 PIDC, DIMIA, on behalf of Australia, negotiated achievement of three significant developments which, from the perspective of other members and Australia, are expected to add to the efficacy of this forum. These include:

- the formation and tasking of a Working Group to undertake and progress the work of the PIDC out of session;

- provision of dedicated Secretariat support the PIDC for 12 months; and

- commitment to develop a series of customised workshops to address member states' training needs.

3.73 The Working Group was formed to assist the PIDC to become more outcome-focussed, by advancing out-of-session issues identified by the PIDC, ahead of the next meeting of the annual conference, by:

- developing a strategic action plan for the PIDC;

- identifying viable opportunities for PIDC members to achieve repatriation of illegal migrants (involving transit through Australia);

- developing a regional framework to assist PIDC members to review their immigration legislation, taking into account their need to address refugee claims, illegal immigration, people smuggling and terrorism; and

- identifying strategies and actions to be undertaken by members/signatories to comply with the UN Resolution on Terrorism and the UN Convention Against Transnational Organised Crime.

3.74 The Working Group subsequently met in Brisbane in February 2002 and at that time, a draft strategic / action plan for PIDC was developed. A proposition for limited repatriation from PIDC countries of illegal migrants via Australia was negotiated within DIMIA by Border Protection Branch, ahead of the Working Group. The proposition, put to the Working Group, was warmly accepted.

3.75 The 2001 Conference supported the offer from Australia and New Zealand to provide financial and administration support for a full-time Secretariat officer for an initial twelve month period from December 2001 to December 2002. Joint funding and support for the Secretariat officer is being provided by DIMIA and the New Zealand Immigration Service (NZIS).

Border control training in the Pacific region

3.76 Following an informal training needs analysis undertaken by DIMIA delegates at the meeting of the 2000 PIDC, DIMIA and the AFP LEC (Law Enforcement Cooperation program) in Canberra agreed in principle on the design, content, delivery and funding of a series of two week training courses to be conducted in Suva.

3.77 Funded by the AFP under its LEC, the course is a significant measure to address the global issue of people smuggling. The course was developed to reflect closely the training needs identified by Pacific Island countries in a variety of fora, including the PIDC, the Pacific Islands Forum, the SPCPC, OCO and the Asia-Pacific Group on Money Laundering.

3.78 The meeting of the 2001 PIDC endorsed the design, content, delivery and funding proposal. Course design, coordination and facilitation of delivery has been provided by DIMIA in consultation with other agencies. The 2 weeks joint AFP/DIMIA Border Control Training Course is being delivered in Suva to two groups, from 20 May – 7 June for 36 participants from 18 participant nations/territories.

3.79 The course focus is on improved border control management by immigration, customs and law enforcement agencies and cooperation in identifying and combating threats to the Pacific region. These threats include people smuggling, illegal immigration and other transnational crime.

3.80 There is extensive DIMIA input to the Border Control Training Courses

including three days of document examination skills; a session on the security features of Australian visas and passports; and sessions on the obligations of carriers under the ICAO Convention, people smuggling and illegal immigration in the Pacific region; management of unauthorised arrivals by air and sea; and immigration interviewing techniques.

3.81 In addition, there is various significant course input from other agencies: AFP, ASIO, Customs and other organisations including NZIS, Qantas, Air NZ, UNHCR and IOM.

3.82 The 2001 Conference membership recognised there are many immigration-related law enforcement and border control risks to the Pacific Island region and a pressing need for training and technical assistance at the operational level. An introductory training day was held in conjunction with the 5th PIDC in 2001, to familiarise representatives with available, potential regional training. DIMIA contributed extensively with sessions on passport and visa document examination, fraud detection techniques and imposter recognition techniques.

3.83 The sixth PIDC will be held in Niue in Sept. 2002. DIMIA will continue to participate in and support PIDC initiatives as a forum for immigration services in the Pacific region to enhance planning and cooperation; to strengthen members' capability to better manage their borders and to effectively prevent and/or prosecute crime, such as people smuggling, illegal immigration and other transnational crime, including drug smuggling, money laundering, identity fraud and terrorism.

APEC Business Mobility Group (BMG)

3.84 DIMIA is the Chair of the Asia Pacific Economic Cooperation (APEC) Business Mobility Group (BMG). The BMG is one of the working groups within APEC and is focussed on immigration issues related to the facilitation of business short-term travel and business temporary residence. The group meets three times a year as part of the APEC Senior Official's Meetings and all 21 APEC economies are invited to send representatives from their respective immigration and consular affairs agencies.

3.85 The group also conducts regular multilateral capacity building programs in areas such as travel document examination, document security and professional service. These projects are funded by the APEC Trade and Investment Liberalisation Fund (TILF) special account, which is made up of donations from APEC economies, principally from the Japanese government.

Papua New Guinea participation in the BMG

3.86 Prior to 2002, participation by Papua New Guinea in BMG activities has been intermittent. However, Papua New Guinea's participation in BMG meetings and capacity building projects has increased in 2002.

3.87 In February 2002, a Papua New Guinea immigration officer attended an APEC TILF funded train the trainer document examination and fraud detection workshop at the Malaysian Immigration Academy at Port Dickson. The

workshop was conducted by document examination experts from Australia and Hong Kong (SAR), and was attended by participants from Brunei Darussalam, China, Indonesia, Malaysia, Papua New Guinea, Russia, Singapore, Taiwan, Thailand and Vietnam. Participants received training in the use of a generic document examination training package developed for use by APEC economies. The generic training package was provided to participants on CD-ROM, and contains pre-prepared presentation material on the latest document examination techniques.

3.88   The Papua New Guinea government also sent representatives to attend the February and May meetings of the BMG after a long period of absence. At the February meeting, the Papua New Guinea representative expressed interest in participating in the APEC Business Travel Card (ABTC) scheme. The ABTC is a travel facilitation scheme designed to facilitate short-term business travel in the APEC region.

3.89   Through a simple pre-clearance system cardholders receive the equivalent of a multiple entry visa for short term business visits (60 - 90 days) to all economies participating in the scheme. Cardholders also receive express immigration clearance at major airports located in participating ABTC economies. At present there are 12 economies participating in the scheme; Australia, Brunei Darussalam, Chile, Chinese Taipei (Taiwan), Hong Kong (SAR), Korea, Malaysia, New Zealand, the People's Republic of China, Peru, the Philippines, Thailand and Indonesia. More economies are expected to join in 2002.

3.90   The recent engagement by Papua New Guinea in the APEC BMG forum can be attributed to improved communications with Papua New Guinea officials. Australia based personnel posted to the Australian High Commission Port Moresby have been asked to brief the relevant sections of the Papua New Guinea government on the potential benefits of active participation in the forum. Some of these benefits include APEC funding to meet travel costs for government officials to attend capacity building workshops. This has resulted in more active communications with the Papua New Guinea government, and increased participation in BMG activities.

Future participation

3.91   It is expected that the recent active participation in the BMG meetings and capacity building projects by the Papua New Guinea government will continue. In particular, improved communications with Papua New Guinea's Department of Foreign Affairs will ensure regular attendance at BMG meetings. This in turn will provide Papua New Guinea representatives information about APEC funded capacity building projects conducted by the BMG.

3.92   Papua New Guinea government representatives are expected to attend workshops as part the BMG's Professional Service and Document Security projects in 2003. New Zealand is the only other Pacific state that is a member of APEC.

AusAID student program

3.93   The AusAID student program is intended to provide opportunities for foreign students to undertake study in Australia which which will enable them to contribute to the social and economic development of their home country upon return.   To ensure that AusAID student visa holders return to their home country upon completion of their studies, the *Migration Regulations* restrict the types of visas for which AusAID student visas can apply.   To be eligible for a visa in this subclass, applicants must show evidence that their application is supported by AusAID or the Australian Department of Defence.

3.94   The comparative snapshot at Table 12 shows AusAID student visa grants to citizens of the Southwest Pacific.   Total visa grants for the period of February to July 2001 were 2,796.   For the same period of 2002, visa grants declined by 12.3% to 2,451.

3.95   For the period from February to July 2001, Papua New Guinea was the largest source country of AusAID students with 409 visa grants onshore and offshore.   For the same period this program year there were 382 visa grants to citizens of Papua New Guinea.   Papua New Guinea represented 15.6% of the global total in 2001 and 14.6% in 2002.   Other Pacific countries do not feature prominently in the context of the global program.

Health arrangements for nationals outside the *Torres Strait Treaty*

3.96   Persons from South Pacific Islands and others outside the provisions of the *Torres Strait Treaty* seeking medical treatment in Australia are required to apply for a Short Stay (subclass 675) (where the intended stay is three months or less) or the Long Stay (subclass 685) (where the intended stay is more than three months.   These visas are enable entry and stay in Australia:

- to undertake medical treatment (including consultation) other than that related to surrogate motherhood;

- to receive or donate an organ for transplant;

- to provide emotional and other support to a person in either of the above situations;

- being a Western Province Papua New Guinea citizen medically evacuated to Queensland;

- to accompany a person in any of the above situations.

3.97   Applicants for a Medical Treatment visa are required to meet the costs of treatment in Australia.   There are instances of persons from South Pacific nations who have entered Australia on temporary visas (as Students or Visitors) undergoing medical treatment.   In some cases due to the nature of their condition (for example, the need for dialysis) they are unable to return home.   While Queensland Health accepts such people for treatment, payment and the utilisation of services in short supply make this problematic.

Medical Treatment (Short Stay and Long Stay) subclass 675 and 676 visa grants

3.98   The Medical Treatment visas subclass 675 visa is for persons who wish to visit or stay in Australia for no more than three months The subclass 685 visa enables stay for more than three months.

3.99   Table 16 indicates that there have been a total of 2,536 Short Stay medical visas granted to citizens of South Pacific countries over the past three program years. The region accounts for over 20% of the global subclass 675 (Short Stay) program. The highest number of grants over this period were to citizens of Nauru, with 831 (322 in 1999-00, 282 in 2000-01 and 227 this program year). Fiji and Papua New Guinea also figure highly in visa grants with 736 (261 in 1999-00, 297 in 2000-01 and 178 this program year) and 668 (238, 240 and 190) respectively. Approval rates for this subclass are high.

3.100 South Pacific countries make up a much smaller proportion of the global subclass 685 (Long Stay) program, with less than 3% of the program, 23 visa grants this program year.

Part Four – Security relationships

Term of reference - implications for Australia of political, economic and security developments in the region

Introduction

4.1   As a close neighbour of the South Pacific, Australia has a strong interest in political and security transformations in the region. Social upheaval or environmental change are catalysts that might compel South Pacific people to seek refuge in Australia. Australia's response to the Kosovo and East Timorese crises demonstrates that Australia has a range of humanitarian mechanisms with which to respond to potential population outflows from the South Pacific region.

Australia's Humanitarian Program

4.2   Australia is a signatory to the United Nations 1951 Convention and 1967 Protocol relating to the Status of Refugees. Australia provides protection for asylum seekers who meet the United Nations definition of a refugee, as defined in the 1951 Convention.

4.3   Australia is one of only nine countries that operate a dedicated resettlement program each year. The resettlement program goes beyond any international obligations and reflects Australia's desire to assist refugees and people in humanitarian need. Per capita, Australia has one of the highest resettlement places in the world.

4.4   Australia's Humanitarian Program continues to give priority to people who are in the most vulnerable situations and have the greatest need for resettlement places. For each of the past five years, Australia has had a program of a total of 12,000 new humanitarian places for offshore resettlement and onshore protection applications targeted towards the people in greatest need.

Temporary safehaven

4.5   One of the hallmarks of Australia's Humanitarian Program is the flexibility of the program to ensure the focus continues to be on helping victims of rights abuses where the only option is permanent or temporary resettlement.

4.6   In 1999, the Government provided 5,900 Safehaven visas to Kosovars and East Timorese who were in need of protection while conditions in their home countries endured periods of instability. Safehaven visas are designed for displaced peoples who, through grave fear of personal safety, cannot reasonably return to their place of residence. This represented almost a 50% increase to the Humanitarian Program and ran in parallel with it.   The Safehavens were managed flexibly, effectively and were an appropriate and humane response by the Government to a tragic situation that required a global burden-sharing approach.

4.7   The Temporary Humanitarian Concern visa was introduced in 2000 to allow Safehaven visa holders in need of continuing medical attention to remain in Australia for a further three years. In 2000-01, some 164 Temporary Humanitarian Concern visas were granted. Others provided temporary Safehaven were able to return to their home countries following the restoration of political stability.

Australia's response to regional political transformations

Fijian coups: 1987 and 2000

4.8   In 1987, after Fiji's general elections that year brought to power a coalition of the India-dominated National Federation Party and the Fiji Labour Party, Lieutenant Colonel Sitiveni Rabuka led two bloodless military coups calling for greater protection of Fijian rights in May and September 1987. The coups resulted in a significant of Fijian Indians entering Australia and seeking refugee status. Political transformation in Fiji at this time accounted for the very significant growth rate in the Fijian community in Australia between 1986 and 1991 (17.2%) discussed in Part One of this submission.

4.9   In May 2000, George Speight and armed followers overtook Parliament in Suva and detained the Prime Minister, Mahendra Chaudhry, and members of his Cabinet, announcing that he was revoking the country's Constitution and throwing Fiji into a state of emergency. Following these events there were 70 offshore applications for Refugee (subclass 200) visas were made in 2001, none of which were granted.

4.10   In both situations, Fiji's domestic political situation was not considered to require the introduction of special entry conditions and there was no relaxation of entry requirements for Fijian nationals. DIMIA considered onshore applications for extension of stay and sponsored entry according to standard legislation and policy that applied at that time.

4.11   Australian Parliament will consider the most appropriate response to crises that may arise in the South Pacific region recognising the important place of the region to our national interests.

Statistical tables

Table 1:   New Zealand residence approvals in 2000/01 by nationality

Country	Business	Family	General Skills	Humanitarian	Other	Refugee	Total
Fiji	33	1,220	1,470	260	75	0	3,058
Nauru	5	7	0	0	0	0	12
New Caledonia	1	2	0	0	0	0	3
Papua New Guinea	0	20	7	0	3	0	30
Samoa	0	799	26	70	1,324	0	2,219
Solomon Islands	0	10	14	2	0	0	26
Tokelau	0	0	1	0	0	0	1
Tonga	0	511	200	72	102	0	885
Tuvalu	0	8	2	11	17	0	38
Vanautu	0	1	1	0	0	0	2
Total	39	2,578	1,721	415	1,521	0	6,274

(Source: NZ Immigration Service - *Trends in Residence Approvals 2000/2001*, Volume 1, August 2001)

Table 2:   **PNG-born population in Australia by selected characteristics**

Population and average growth rate			
1986	**1991**	**1996**	**2001**
21,325	23,743	24,357	23,620

% 1986 - 91	**% 1991 – 96**	**% 1996 - 01**
+2.1	+0.5	-3.1%

Occupation and Group	Persons	%	% Total Population
Managers/Professionals/Administrators	3,842	29.6	27.2
Technicians/Associate Professionals	1,584	12.2	11.6
High Skill – Trade Clerical	2,083	15.7	17.8
Intermediate Skill	3,355	25.9	25.3
Low Skill – Clerk / Labourer	2,157	16.6	18.1

Labour Force Status	Persons	%	% Total Population
Total Employed	13,265	89.3	90.8
Unemployed	1,595	10.7	9.2
Not in Labour Force	6,966	31.9	38.1

Highest Qualification	Persons	%	% Total Population
Degree / Diploma	5,516	25.1	16.5
Skilled / Basic vocational	2,535	11.5	13.3

(Source: Census, 1996 and 2001)

Table 3:   Fijian-born population in Australia by selected characteristics

Population and average growth rate			
1986	**1991**	**1996**	**2001**
15,300	34,300	37,135	44,251

% 1986 - 91	**% 1991 - 96**	**% 1996 - 01**
+17.2%	+1.6%	16.1%

Occupation and Group	**Persons**	**%**	**% Total Population**
Managers/Professionals/Administrators	4,141	22.0	27.2
Technicians/Associate Professionals	1,727	9.2	11.6
High Skill – Trade Clerical	2,845	15.1	17.8
Intermediate Skill	6,191	32.9	25.3
Low Skill – Clerk / Labourer	3,913	20.8	18.1

Labour Force Status	**Persons**	**%**	**% Total Population**
Total Employed	19,415	88.5	90.8
Unemployed	2,533	11.5	9.2
Not in Labour Force	10,278	31.9	38.1

Highest Qualification	**Persons**	**%**	**% Total Population**
Degree / Diploma	4,141	22.0	16.5
Skilled / Basic vocational	1,727	9.2	13.3

(Source: Census, 1996 and 2001)

Table 4:   Pacific-born persons by usual state or territory of residence

Birthplace	NSW	Vic	Qld	SA	WA	Tas	NT	ACT	Australia
Cook Islands	2,086	1,335	1,044	62	120	12	9	17	4,685
Kiribati	112	116	131	18	21	12	12	10	432
Marshall Islands	0	4	3	0	0	0	0	0	7
Micronesia	3	0	3	0	0	0	0	0	6
Nauru	68	217	152	12	27	9	12	6	503
New Caledonia	483	78	420	22	33	11	6	18	1,071
Niue	236	66	148	3	23	3	0	3	482
Samoa	6,407	2,384	4,009	59	166	20	9	145	13,199
Solomon islands	493	103	570	39	41	15	42	36	1,339
Tokelau	146	19	82	0	9	0	0	3	259
Tonga	5,136	1,219	960	48	77	24	54	144	7,662
Tuvalu	21	19	33	0	3	0	6	3	85
Vanuatu	394	102	300	27	33	10	9	21	896
Total	15,585	5,662	7,855	290	553	116	159	406	30,626
% of Australia	**50.9**	**18.5**	**25.6**	**0.9**	**1.8**	**0.4**	**0.5**	**1.3**	**100.0**

(Source: Census, 2001)

Table 5:   Pacific settler arrivals for combined subclasses

Country of birth	1998-1999	1999-2000	2000-01
Cook Islands	207	200	0
Kiribati	6	6	2
Marshall Islands	0	1	0
Micronesia	0	0	0
Nauru	3	2	6
New Caledonia	10	19	9
Niue	55	48	0
Samoa	1167	1074	21
Solomon Islands	36	44	25
Tokelau	19	19	0
Tonga	330	371	105
Tuvalu	4	11	5
Vanuatu	8	11	19
Total	**1845**	**1806**	**192 ***

* Total does not include those Pacific-born arriving under New Zealand citizenship

Table 6:   **Resident long-term departures by country of future residence, major ASCO group and reason for journey**

Country of future residence	Managers & Administrators	Professionals	Associate-Professionals	Tradespersons	Other/Not in Workforce	Total
BUSINESS						
Cook Islands	1	0	0	1	1	3
Fed States of Micronesia	0	1	0	0	2	3
Kiribati	0	0	3	0	1	4
Nauru	22	17	4	4	11	58
Papua New Guinea	0	0	0	2	1	3
Samoa	0	2	0	0	1	3
Solomon Islands	2	2	0	0	5	9
Tonga	0	0	0	0	2	2
Vanuatu	4	7	3	0	8	22
Fiji	12	21	4	2	13	52
New Caledonia	2	0	0	0	1	3
Total	**43**	**50**	**14**	**9**	**46**	**162**
EMPLOYMENT						
Cook Islands	0	0	0	0	3	3
Fed States of Micronesia	0	0	0	1	1	2
Kiribati	2	1	1	0	4	8
Nauru	0	0	0	0	1	1
Niue	0	1	0	0	0	1
Papua New Guinea	156	185	49	26	125	541
Marshall Islands	1	0	0	0	0	1
Samoa	0	14	2	0	5	21
Solomon Islands	11	8	1	2	8	30
Tonga	2	2	0	0	2	6
Tuvalu	0	1	0	0	1	2
Vanuatu	6	18	4	3	17	48
Fiji	21	41	2	1	23	88
New Caledonia	0	1	0	0	6	7
Total	**199**	**272**	**59**	**33**	**196**	**759**

Figures relate to 2000-01 program year

Table 7:   Skill Stream visa grants to Fijian citizens by visa subclass

Visa category		1999-00			2000-01			2001-02		
		Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
105	Skilled-Australian Linked	0	300	538	0	103	164	0	18	17
106	Regional	0	0	0	0	3	5	0	0	2
119/857	RSMS	1	0	0	3	3	0	4	4	0
120/855	Labour Agreement	1	0	0	5	5	0	2	1	0
121/856	ENS	11	6	11	61	29	4	27	24	0
124/858	Distinguished Talent	2	0	0	4	0	2	8	0	1
126	Independent	0	301	160	0	76	15	0	0	36
127/840	Business Owner	29	0	6	91	60	35	0	20	5
130	State/Territory Sponsored Senior Executive	0	4	0	0	0	0	0	0	0
134	Skill Matching	5	0	5	0	0	0	3	0	0
136/880	Skilled-Independent (including Skilled Independent Overseas Student)	324	111	8	1069	690	126	326	235	7
137	Skilled-State/Territory Nominated Independent	0	0	0	0	0	0	1	2	0
138/881	Skilled Australian Sponsored	139	33	6	497	199	93	194	145	23
139/882	Skilled-Designated Area	36	19	0	199	44	32	91	71	0
845	Established Business in Australia	4	0	4	34	0	7	6	19	5
805	Skilled	19	8	5	0	1	12	0	0	0
Total		571	782	743	1963	1213	495	662	539	96
Global Total		31343	27851	12555	56126	37181	7188	37597	34182	5210
% Global Total		1.82%	2.80%	5.91%	3.49%	3.26%	6.88%	1.76%	1.57%	1.84%

2001-02 figures reflect program year as at 30 April 2002
Figures include primary applicants and dependents

Table 8:   Skill Stream visa grants to Papua New Guinean citizens by visa subclass

Visa category		1999-00			2000-01			2001-02		
		Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
105	Skilled-Australian Linked	0	3	0	0	0	0	0	0	1
119/857	RSMS	0	0	0	0	0	0	9	5	0
120/855	Labour Agreement	3	3	0	3	4	0	6	5	0
121/856	ENS	2	0	0	16	14	0	7	5	0
124/858	Distinguished Talent	0	0	0	4	0	1	0	3	0
126	Independent	0	6	0	0	20	11	29	0	6
127/840	Business Owner	0	0	0	0	4	0	0	0	0
134	Skill Matching	0	0	0	4	0	0	0	0	0
136/880	Skilled-Independent (including Skilled Independent Overseas Student)	16	0	0	17	16	0	12	3	0
138/881	Skilled Australian Sponsored	4	0	0	1	0	0	1	1	0
Total		**25**	**12**	**0**	**45**	**58**	**12**	**64**	**22**	**7**
Global Total		31343	27851	12555	56126	37181	7188	37597	34182	5210
% Global Total		0.07%	0.04%	0	0.08%	0.015%	0.16%	0.17%	0.06%	0.13%

2001-02 figures reflect program year as at 30 April 2002
Figures include primary applicants and dependents

Table 9:   Papua New Guinean and Fijian Skilled Migration by Skill Level

ASCO Group	Papua New Guinea		Fiji	
	Persons	**% of PNG Total**	**Persons**	**% of Fiji Total**
Major Group 1, Managers and Administrator	2	2.2%	74	1.7%
Major Group 2, Professionals	15	16.6%	1198	28.3%
Major Group 3, Associate Professionals	2	2.2%	158	3.7%
Major Group 4, Tradespersons and Related Workers	4	4.4%	537	12.7%
Major Group 5, Advanced Clerical and Service Workers	4	4.4%	96	2.3%
Major Group 6, Intermediate Clerical, Sales and Service Workers	3	3.3%	110	2.6%
Major Group 7, Intermediate Production and Transport Workers	2	2.2%	370	8.8%
Major Group 8, Elementary Clerical, Sales and Service Workers	36	40%	1041	24.6%
Major Group 9. Labourers and Related Workers	22	24.4%	638	15.1%
Total	**67**	**100%**	**2255**	**100%**

1996-97 until 31 March 2002
Figures include primary applicants and dependents

Table 10: Visitor visa grants to South Pacific citizens

Citizenship	Year	Applications	Grants	Refusals	% Refusal Rate	Non-return rate
Fiji	1999-00	17,299	14,998	2,172	12.65	8.38
	2000-01	16,687	13,545	2,425	15.18	8.80
	2001-02	13,007	10,503	2,161	17.06	4.81
Kiribati	1999 00	551	537	9	1.65	2.38
	2000-01	758	723	7	0.96	4.05
	2001-02	491	470	2	0.42	2.96
Marshall Islands	1999-00	50	47	3	6.00	10.11
	2000-01	54	51	2	3.77	6.12
	2001-02	43	42	0	0.00	10.83
Micronesia	1999-00	81	81	0	0.00	3.74
	2000-01	97	97	0	0.00	3.65
	2001-02	69	69	0	0.00	14.44
Nauru	1999-00	1,823	1,802	11	0.61	4.03
	2000-01	2,100	2,064	8	0.39	5.92
	2001-02	1,474	1,440	7	0.48	8.19
New Caledonia	1999-00	1	1	0	0.00	11.11
	2000-01	1	1	0	0.00	0
	2001-02	1	1	0	0.00	0
Papua New Guinea	1999-00	9,790	9,453	89	0.93	3.08
	2000-01	9,920	9,666	210	2.13	3.07
	2001-02	6,523	6,134	270	4.22	2.13
Samoa	1999-00	2,481	2,168	271	11.11	13.49
	2000-01	2,963	2,588	329	11.28	11.02
	2001-02	1,580	1,326	196	12.88	6.17
Solomon Islands	1999-00	1,357	1,285	42	3.17	3.71
	2000-01	1,520	1,479	14	0.94	6.69
	2001-02	1,139	1,132	7	0.61	3.31
Tonga	1999-00	3,093	2,257	717	24.11	7.25
	2000-01	2,793	2,302	350	13.20	5.37
	2001-02	2,065	1,833	198	9.75	3.90
Tuvalu	1999-00	109	99	6	5.71	10.74
	2000-01	126	112	6	5.08	6.11
	2001-02	83	70	9	11.39	10.20
Vanuatu	1999-00	1,206	1,116	64	5.42	2.07
	2000-01	1,291	1,247	22	1.73	1.87
	2001-02	835	801	11	1.35	1.74
South Pacific total	**1999-00**	**37,841**	**33,840**	**3,384**	**10.00**	**6.67**
	2000-01	**38,310**	**33,875**	**3,373**	**9.95**	**5.22**
	2001-02	**27,310**	**23,821**	**2,861**	**12.01**	**6.55**
Global	**1999-00**	**3,318,118**	**3,227,068**	**75,290**	**2.28**	**2.41**
	2000-01	**3,624,834**	**3,538,470**	**77,604**	**2.15**	**2.15**
	2001-02	**2,648,615**	**2,588,961**	**51,398**	**1.95**	**1.86**

2001-02 figures reflect program year as at 31 March 2002
Figures include primary applicants and dependents

Table 11: Sponsored Visitor Visa grants by grant country

Year	Post	Applications	Grants	Refusals	Decided	% Grant rate	NRR %
2000–01	Apia	143	110	27	137	80%	18.52
	Nuku'Alofa	474	302	91	393	77%	10.62
	Port Moresby	1	0	1	1	0%	N/A
	Suva	1,027	662	227	889	74%	11.04
	Global	**14,273**	**7,345**	**5,056**	**12,401**	**59%**	**8.24**
2001-02	Apia	88	37	37	74	50%	12.50
	Nuku'Alofa	355	240	66	306	78%	6.60
	Port Moresby	4	1	3	4	25%	100.00
	Suva	559	292	203	495	59%	5.90
	Global	**9,651**	**5,816**	**3,744**	**9,560**	**61%**	**4.81**

2001-02 figures reflect program year as at 31 March 2002
Figures include primary applicants and dependents

Table 12: Offshore Student visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Micronesia	6	6	0	4	4	0	8	8	0
Fiji	485	330	113	652	420	103	324	196	162
Kiribati	47	37	1	50	23	0	47	22	1
Marshall Islands	0	0	0	1	1	0	13	13	0
Nauru	37	31	3	45	43	0	25	18	0
Papua New Guinea	713	713	7	771	719	4	525	504	25
Samoa	54	30	6	40	40	3	49	41	0
Solomon Islands	107	78	1	61	54	3	67	70	0
Tonga	78	74	4	66	55	11	79	62	11
Tuvalu	40	32	0	27	19	0	26	24	3
Vanuatu	27	25	0	31	31	0	35	34	1
Total	**1594**	**1356**	**8.46%**	**1748**	**1409**	**7.09%**	**1198**	**992**	**16.94%**
Global	**90717**	**73794**	**14.94%**	**111253**	**85900**	**12.24%**	**78962**	**62064**	**9.04%**
% of Global total	**1.8%**	**1.8%**		**1.6%**	**1.6%**		**1.5%**	**1.6%**	

2001-02 figures reflect program year as at 30 April 2002
Figures include primary applicants and dependents

AusAID student visa grants

Citizenship	Jul – Feb 2001		Jul – Feb 2002		% change
	Grants	% of global grants	Grants	% of global grants	
Federated States of Micronesia	4	0.1	3	0.1	-25%
Fiji	29	1.0	30	1.2	3%
Kiribati	20	0.7	18	0.7	-10%
New Caledonia	0	0	1	0	
Papua New Guinea	409	14.6	382	15.6	-7%
Samoa	38	1.4	26	0	-32%
Solomon Islands	10	0.4	5	0	-50%
Tonga	25	0.9	19	0	
Tuvalu	2	0.1	7	0	250%
Vanautu	12	0.4	25	0	108%

Table 13:   Temporary Business (Short Stay) subclass 456 visa activity

Citizenship	Year	Applications	Grants	Refusals	% Refusal Rate	456 Visa NRR
Fiji	1999-00	1,387	1,318	62	4.49	1.79
	2000-01	1,675	1,548	71	4.39	2.60
	2001-02	1,397	1,303	81	5.85	2.06
Kiribati	1999-00	284	281	3	1.06	1.93
	2000-01	472	460	2	0.43	4.36
	2001-02	368	362	0	0.00	2.16
Marshall Islands	1999-00	37	36	1	2.70	11.33
	2000-01	39	38	0	0.00	7.86
	2001-02	41	41	0	0.00	0.00
Micronesia	1999-00	55	55	0	0.00	3.60
	2000-01	66	66	0	0.00	0.94
	2001-02	54	54	0	0.00	15.07
Nauru	1999-00	53	49	4	7.55	1.35
	2000-01	57	54	1	1.82	1.51
	2001-02	33	31	0	0.00	0.77
New Caledonia	1999-00	0	0	0	0.00	0.00
	2000-01	0	0	0	0.00	0.00
	2001-02	0	0	0	0.00	0.00
Papua New Guinea	1999-00	1,322	1297	5	0.38	1.05
	2000-01	1,618	1603	3	0.19	0.69
	2001-02	1,339	1,324	4	0.30	0.96
Samoa	1999-00	215	213	1	0.47	0.98
	2000-01	256	254	1	0.39	1.29
	2001-02	248	239	1	0.42	3.55
Solomon Islands	1999-00	207	199	0	0.00	2.13
	2000-01	390	386	1	0.26	1.99
	2001-02	323	330	0	0.00	1.07
Tonga	1999-00	159	144	8	5.26	1.81
	2000-01	216	209	4	1.88	1.00
	2001-02	272	254	10	3.79	2.80
Tuvalu	1999-00	41	37	2	5.13	5.23
	2000-01	62	60	0	0.00	0.00
	2001-02	45	39	2	4.88	10.20
Vanuatu	1999-00	275	270	1	0.37	0.42
	2000-01	408	400	0	0.00	2.49
	2001-02	276	270	0	0.00	0.91
Total: South Pacific Countries	**1999-00**	**4,035**	**3,899**	**87**	**3.02**	
	2000-01	**5,259**	**5,078**	**83**	**2.20**	**2.52**
	2001-02	**4,396**	**4,247**	**98**	**3.07**	**2.17**
Global	**1999-00**	**127,308**	**113,757**	**11,038**	**8.84**	**2.05**
	2000-01	**136,232**	**123,295**	**11,353**	**8.43**	**2.00**
	2001-02	**125,400**	**113,404**	**9,509**	**7.74**	**1.67**

2001-02 figures reflect program year as at 30 April 2002
Figures include principal applicants and dependents

Table 14:   Temporary Business (Long Stay) subclass 457 visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Cook Islands	0	1	0	0	0	0	0	0	0
Fiji	235	115	31	382	248	31	270	167	42
Kiribati	4	3	0	2	2	0	9	4	0
Marshall Islands	7	0	0	1	0	0	0	0	0
Nauru	0	0	0	2	0	0	0	1	1
New Caledonia	2	0	1	2	2	0	0	0	0
Papua New Guinea	94	82	7	87	71	3	52	39	4
Samoa	4	4	0	8	8	0	4	3	0
Solomon Islands	5	3	1	20	12	0	6	7	7
Tonga	4	0	0	4	5	1	2	0	1
Tuvalu	0	0	0	2	0	0	1	0	1
Vanuatu	6	6	0	8	6	1	5	5	1
Total	**361**	**214**	**11.08%**	**518**	**354**	**6.94%**	**349**	**226**	**16.33%**
Global	**44374**	**34632**	**3004**	**47222**	**40224**	**2545**	**36304**	**31312**	**2005**
% of Global total	**1.1%**	**0.8%**		**1.5%**	**1.2%**		**1.1%**	**0.8%**	

2001-02 figures reflect program year as at 30 April 2002
Figures include primary applicants and dependents
Figures include Independent Executives stream

Table 15:   Temporary social and cultural entry

Sports (Subclass 421) visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Micronesia	9	6	0	12	12	0	11	11	0
Fiji	1002	737	90	209	127	29	290	259	7
Kiribati	2	2	0	24	21	0	9	9	0
Marshall Islands	2	2	0	4	4	0	0	0	0
Nauru	2	2	0	32	32	0	4	4	0
Papua New Guinea	207	188	1	398	394	1	312	297	0
Samoa	230	219	1	256	245	0	163	161	0
Solomon Islands	93	93	0	107	87	0	81	99	0
Tonga	39	23	2	26	25	0	42	46	1
Tuvalu	0	0	0	0	0	0	1	1	0
Vanuatu	46	41	0	24	23	0	61	61	0
Total	**1632**	**1313**	**5.75%**	**1092**	**970**	**2.74**	**974**	**948**	**0.82%**
Global	**9564**	**8438**	**6.58%**	**7437**	**6400**	**8.45%**	**4264**	**3652**	**10.85%**
% of Global total	**17.06**	**15.56**		**14.68**	**15.15**		**22.84**	**25.95**	

Entertainment (Subclass 420) visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Fiji	145	40	64	30	33	0	22	14	2
Nauru	0	0	0	0	0	0	11	11	0
Papua New Guinea	33	31	1	132	132	0	108	107	1
Samoa	0	0	0	0	0	0	27	27	0
Solomon Islands	0	1	0	15	15	0	0	0	0
Tonga	3	1	0	2	2	1	0	0	0
Total	**181**	**73**	**35.91%**	**179**	**182**	**0.55%**	**168**	**159**	**1.78%**
Global	**8774**	**8137**	**2.42%**	**9265**	**8848**	**2.51%**	**7724**	**7355**	**2.61%**
% of Global total	**2.06%**	**0.90%**		**1.93%**	**2.06%**		**2.18%**	**2.16%**	

Occupational Trainee (Subclass 442) visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Micronesia	20	20	0	4	4	0	2	1	0
Fiji	85	66	1	79	75	2	69	43	19
Kiribati	3	2	0	12	8	0	4	4	0
Marshall Islands	13	13	0	5	3	0	0	0	0
Nauru	0	0	0	1	1	0	0	0	0
Papua New Guinea	64	49	2	91	95	1	64	46	0
Samoa	95	93	0	62	60	0	23	22	0
Solomon Islands	48	35	0	25	21	0	3	2	0
Tonga	6	6	0	13	12	0	1	1	0
Tuvalu	19	18	0	15	15	0	8	8	0
Vanuatu	3	2	0	2	2	0	2	2	0
Total	**356**	**304**	**0.84%**	**309**	**296**	**0.97%**	**176**	**129**	**10.79%**
Global	**8107**	**6966**	**1.34%**	**7066**	**6611**	**1.79%**	**5599**	**5077**	**2.16%**
% of Global total	**4.39%**	**4.36%**		**4.37%**	**4.48%**		**3.14%**	**2.54%**	

2001-02 figures reflect program year as at 30 April 2002
Figures include primary applicants and dependents

Table 16: Medical Treatment visa grants to citizens of the South Pacific

Medical Treatment (Short Stay) subclass 675 visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Micronesia	0	0	0	3	3	0	0	0	0
Fiji	288	261	11	319	297	17	202	178	18
Kiribati	6	6	0	4	3	0	7	7	0
Marshall Islands	0	0	0	1	1	0	0	0	0
Nauru	328	322	1	284	282	0	240	227	0
Papua New Guinea	262	238	0	251	240	15	222	190	3
Samoa	1	0	0	3	3	0	9	8	0
Solomon Islands	40	39	0	45	43	0	39	36	0
Tonga	14	10	0	16	13	4	3	3	0
Tuvalu	2	2	0	2	1	0	0	0	0
Vanuatu	49	49	0	36	35	0	44	42	0
Total	**990**	**927**	**1.21%**	**961**	**918**	**3.74%**	**766**	**691**	**2.74%**
Global	**4352**	**4056**	**2.96%**	**4314**	**3984**	**4.77%**	**3514**	**3218**	**3.44%**
% of Global total	**22.74%**	**22.85%**		**22.27%**	**23.04%**		**21.79%**	**21.47%**	

Medical Treatment (Long Stay) subclass 685 visa grants

Citizenship	1999-00			2000-01			2001-02		
	Apps	Grants	Refusals	Apps	Grants	Refusals	Apps	Grants	Refusals
Fiji	1	1	0	14	14	0	9	6	2
Kiribati	0	0	0	1	1	0	0	0	0
Nauru	1	1	0	0	0	0	2	2	0
Papua New Guinea	3	2	1	14	14	0	11	9	0
Samoa	1	0	0	3	3	0	2	2	0
Solomon Islands	40	39	0	4	4	0	1	1	0
Tonga	4	4	0	2	2	0	3	3	0
Vanuatu	0	0	0	5	5	0	0	0	0
Total	**50**	**47**	**2%**	**43**	**43**	**0%**	**28**	**23**	**7.14%**
Global	**1194**	**1027**	**2.09%**	**1423**	**1191**	**2.24%**	**1134**	**790**	**3.35%**
% of Global total	**4.18%**	**4.57%**		**3.02%**	**3.61%**		**2.46%**	**2.91%**	

2001-02 figures reflect program year as at 30 April 2002
Figures include principal applicants and dependents