

Dear Secretary

I submit this information on behalf of long term asylum seeker, Applicant A.

Attached please find a brief synopsis of the 417 applications made by Applicant A. Evidence of these submissions and accompanying information can be provided upon request.

Applicant A's submission falls within the Ministerial guidelines of being in the public interest.

I request that my name is not published in any format please. Please ensure that Applicant A's name is also not published in any format.

Regards,

Confidential

Applicant A submitted a 417 letter to the Minister in April 2001. He sent a second letter asking that additional documents be attached to his original submission in June 2001.

Applicant A's submission was based on information that he received whilst in Woomera Detention Centre that his wife and six children had been forceably returned to Iraq from Syria and that one of his son's had been tortured and subsequently had died in jail there.

This claim was evidenced by a letter from the applicant A's father-in-law and a phone call he received. Applicant A suffered a mental breakdown on hearing this news.

In June 2001 R.A.C.S submitted a 417 application on behalf of Applicant A. RACS 417 submission was based on the knowledge that there was no "effective protection" in Syria for Iraqis and that he was at risk of being deported to Iraq if he went there.

Neither Applicant A's April 2001 application nor RACS June 2001 application were acknowledged by DIMIA until December 2002. Applicant A then received a letter from the Department stating that his application would not be considered as his case was under judicial review. His earlier submissions which were sent when he was outside of judicial review (for more than 13 months) were never acknowledged.

Applicant A's altered personal circumstances illustrated two things: one that Iraqis were indeed at risk in Syria as evidenced by the forced deportation of his family to Iraq and two, the destructive effect of long term detention on his mental health. Applicant A is now nearly at the end of his fourth year in detention.

An unsigned Ministerial directive in August 2001 argued that Applicant A should be granted a visa based on his deteriorating mental health and the fact that he could not be returned to Syria. The doctrine of "effective protection" in Syria has not been used by the RRT since 2001 when it was dismissed in the Federal court. The question remains why was Applicant A was not granted a Visa?