



FROM THE PERMANENT REPRESENTATIVE

AUSTRALIAN PERMANENT MISSION  
GENEVA

16 December 2014

Mr Karim Ghezraoui  
Chief Officer  
Special Procedures Branch  
c/o Office of the High Commissioner for Human Rights  
United Nations Office at Geneva  
8-14, avenue de la Paix  
1211 Geneva 10, Switzerland

Dear Mr Ghezraoui

I refer to the joint urgent appeal of 17 November 2014 concerning Mr [REDACTED] and Mr [REDACTED] sent to the Australian Government by the following United Nations Special Procedures Mandate Holders: the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders; the Chair-Rapporteur of the Working-Group on the use of mercenaries; the Special Rapporteur on the human rights of migrants; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

The Australian Government would like to advise that certain matters raised in the communication are factually in dispute and subject to domestic legal proceedings currently before the High Court of Australia. The Australian Government is unable to respond to the matters raised by the United Nations Special Procedures Mandate Holders while that litigation remains ongoing.

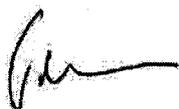
The Australian Government notes that the Manus Regional Processing Centre is administered by Papua New Guinea under Papua New Guinea Law. In so far as the request by the Special Procedures Mandate Holders for information relates to arrangements administered under Papua New Guinea law, this request is more appropriately directed to the Government of Papua New Guinea.

In respect to the Special Procedures Mandate Holders' question concerning the Cornall Review, the Australian Government notes that 13 recommendations were made by Mr Robert Cornall in his report dated 23 May 2014. The Australian Government is pleased to advise that nine of those recommendations (1-2, 5-10 and 11) have been implemented. The Australian Government continues to provide support to the Papua New Guinea Government to action recommendations 3, 4, 12 and 13.

The Australian Government also notes that the Senate Legal and Constitutional Affairs Committee has recently released a separate parliamentary report on the incident at the Manus Island Detention Centre between the 16 and 18 February 2014.<sup>1</sup> The Australian Government will respond to the recommendations contained in that report in due course.

The Australian Government will consider any further request from the Special Procedures Mandate Holders for information on this matter after the resolution of the litigation before the High Court of Australia.

Yours sincerely

A handwritten signature in black ink, appearing to be 'John Quinn', written in a cursive style.

John Quinn

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<sup>1</sup> See <[www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Legal\\_and\\_Constitutional\\_Affairs/Manus\\_Island/Report](http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Manus_Island/Report)>.