



FROM THE PERMANENT REPRESENTATIVE

AUSTRALIAN PERMANENT MISSION
GENEVA

23 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 communication from the Chair-Rapporteur of the Working Group on Arbitrary Detention; the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on the human rights of migrants; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on trafficking in persons, especially women and children dated 24 November 2014 regarding the Migration Amendment (Character and General Visa Cancellation) Bill 2014 and Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014. The Migration Amendment (Character and General Visa Cancellation) Bill 2014 passed both Houses of Parliament on 26 November 2014, and commenced on 10 December 2014.

Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill 2014 also passed both Houses of Parliament on 5 December 2014. Some parts commenced on 15 December 2014, others will commence in accordance with the table in section 2 of the Bill.

The Asylum Legacy Caseload Bill was significantly amended during passage through the Senate, including to enshrine Australia's refugee resettlement intake in law for the first time, and to raise the intake progressively to 18,750 in the 2017-18 intake year. The version of the Bill passed by Parliament is accessible through the Bill website provided below, along with information about the amendments.

Each of these Bills received a significant amount of scrutiny during passage through the Parliament, including in both Houses of Parliament and various Parliamentary committees. Please find below links to online versions of the relevant Committee reports.

Migration Amendment (Character and General Visa Cancellation) Bill:

Bill website:	www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r5345
Senate Legal and Constitutional Affairs Committee report:	www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Character_and_Visa_Cancellation_Bill_2014/~media/Committees/legcon_ctte/migration_amendment_visa/report.pdf
Senate Standing committee for the Scrutiny of Bills (page 8)	www.aph.gov.au/~media/Committees/Senate/committee/scrutiny/alerts/2014/pdf/d14.pdf

Migration and Maritime Powers Legislation Amendment (Resolving the Asylum Legacy Caseload) Bill:

Bill website:	www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bId=r5346
Senate Legal and Constitutional Affairs Committee report:	www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Asylum_Legacy_Caseload_Bill_2014
Senate Standing committee for the Scrutiny of Bills (page 20)	www.aph.gov.au/~media/Committees/Senate/committee/scrutiny/alerts/2014/pdf/d14.pdf

The Parliamentary Joint Committee on Human Rights undertook an assessment of the Resolving the Asylum Legacy Caseload Bill– its report, when completed, will be made available here:

www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/Completed_inquiries

The Australian Government takes its international obligations seriously. Australia will continue to comply with its international obligations in all matters concerning migration and the exercise of maritime powers. However, compliance with Australia's international obligations is ensured not only by legislation, but also by what Australia does by way of policy and practice.

As requested, the letter from the Special Procedures holders has been brought to the attention of the Foreign Minister.

I trust this information will be of assistance.

Yours sincerely



Tanya Bennett
Chargé d'Affaires *a.i.*