Secretary
Joint Select Committee on
Australia's Detention Network

Dear Secretary

The information provided by Chris Bowen in the opinion piece in the National Times on 17 September 2011 below raises the issue of what will happen to the many failed asylum seekers from Iran.

http://www.smh.com.au/opinion/politics/humane-reasons-for-processing-asylum-seekers-offshore-20110916-1kduh.html

Of particular interest are the statements he made about Iran -

"The return of failed asylum seekers can occur only with the agreement of the host country. It is a difficult process that can take place only after an exhaustive process of assessment and appeal, which can take years. In any event, most asylum seekers arriving by boat now come from Iran.

Despite many attempts by Australia, Iran has made it clear it does not and will not accept the return of failed asylum seekers."

Many failed asylum seekers from Iran are offshore arrivals who claimed to be stateless Faili Kurds who have, until now, been found able to return to Iran their country of habitual residence. A common profile of those claiming to be stateless is that they are undocumented Faili Kurds born in Iran to undocumented Faili Kurdish parents driven out of Iraq by Saddam Hussein in 1980. Their situation is discussed in the attached excerpt from *A Guide to Refugee Law in Australia.*

Now that the Minister states Iran will not accept the return of failed asylum seekers, presumably whether they are onshore or offshore arrivals, will the Committee please recommend they be released from detention immediately.

I apologise for such a late submission but this issue has only been made public by Chris Bowen.

Yours sincerely

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