UNHCR
United Nations High Commissioner for Refugees
Haut Commissariat des Nations Unies pour les réfugiés

Submission by the Office of the United Nations High Commissioner for Refugees
Inquiry into Migration Amendment (Complementary Protection) Bill 2009

Senate Legal and Constitutional Affairs Committee
30 September 2009

I. SUMMARY OF COMMENTS AND RECOMMENDATIONS

1. **UNHCR welcomes the codification of Australia's *non-refoulement* obligations under certain human rights instruments.**

2. **UNHCR welcomes the Australian proposal to introduce a single procedure for the grant of protection visas by which an assessment is made, firstly to determine eligibility for refugee status, and secondly for complementary protection needs.**

3. **UNHCR welcomes the intention to grant those found to be in need of complementary protection a protection visa with similar conditions and entitlements as refugees.**

4. **UNHCR recommends the removal of the test of 'irreparable harm' from the proposed sub-paragraph 36(2)(a)(aa), and subsections 36(2)(2B), 36(4) and (5), as such a test has no basis in international law or jurisprudence.**

5. **UNHCR recommends that the concept of 'effective protection elsewhere' relating to refugee (and potentially complementary protection) applicants should not form part of the determination process.**

6. **UNHCR considers it preferable for a proper analysis and assessment of any internal flight or relocation alternative to evolve through jurisprudence rather than through specific legislative provision.**

7. **UNHCR recommends that further consideration is afforded to what kind of immigration status and associated rights should be granted to persons in need of international protection who have been denied substantive (protection) visas on character grounds.**

8. **UNHCR recommends that the determination of an offshore entry person's needs for refugee and complementary protection are codified in legislation or, in the absence of such legislation, that the RSA Procedures Manual and Independent Merit Review Guidelines contain specific reference to the need to consider complementary protection as part of a single determination procedure and following consideration of refugee status.**

9. **UNHCR welcomes future discussions with the Government of Australia to develop a separate and distinct statelessness determination mechanism to identify, and provide international protection to, stateless persons.**

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II. INTRODUCTION

10. The Office of the United Nations High Commissioner for Refugees (UNHCR) welcomes the opportunity to provide a submission to the Senate Legal and Constitutional Affairs Committee ("the Committee") in its *Inquiry into Migration Amendment (Complementary Protection) Bill 2009*.

III. UNHCR'S STANDING TO COMMENT

11. UNHCR provides comment pursuant to the preamble and article 35 of the to the *1951 Convention and the 1967 Protocol relating to the Status of Refugees* ("the 1951 Refugee Convention"),[1] as well as the *1950 Statute of the Office of the United Nations High Commissioner for Refugees* ("the Statute").[2]

12. The UN General Assembly, ECOSOC and UNHCR's Executive Committee (ExCom) have extended UNHCR's competence by empowering UNHCR to protect and assist particular groups of people whose circumstances did not necessarily meet the definition in the Statute, but who faced serious (including indiscriminate) threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order are valid reasons for international protection under its mandate.[3]

13. UNHCR additionally has been given a specific and global mandate to contribute to the prevention and reduction of statelessness by the UN General Assembly in 1974 and 1976 as well as through subsequent resolutions.[4]

14. UNHCR's supervisory role is complemented by its Executive Committee (ExCom) Conclusions on International Protection which are developed through a consensual process.[5] Although not formally binding, ExCom Conclusions constitute expressions of opinion which are broadly representative of the views of the international community. The specialist knowledge of ExCom and the fact that its Conclusions are taken by consensus add further weight. Australia takes an active role in the work of ExCom.

15. In addition, UNHCR develops guidelines drawing on the 1951 Refugee Convention, ExCom Conclusions, and general human rights instruments including the *1966 International Covenant on Civil and Political Rights* (ICCPR),[6] the *1984 Convention*

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[1] *1951 Convention relating to the Status of Refugees*, opened for signature 28 July 1951, 189 UNTS 137 (entered into force 22 April 1954); *1967 Protocol relating to the Status of Refugees*, opened for signature 31 January 1967, 606 UNTS 267 (entered into force 4 October 1967).

[2] UN General Assembly, Resolution 428 (V), *Statute of the Office of the United Nations High Commissioner for Refugees* (1950), Annex.

[3] For full references to the resolutions, see Volker Turk, 'The role of UNHCR in the development of international refugee law' in Frances Nicholson and Patrick Twomey (eds), *Refugee Rights and Realities: Evolving International Concepts and Regimes* (1999) 153-173.

[4] UN General Assembly, Resolutions 3274 (XXIX) of 10 December 1974 and 31/36 of 30 November 1976.

[5] ExCom Members are elected by ECOSOC on the basis of their: (a) demonstrated interest in and devotion to the solution of refugee problems; (b) widest possible geographical representation; and, (c) membership of the United Nations or its specialized agencies.

[6] 1966 ICCPR, opened for signature 26 December 1966, 999 UNTS 171 (entered into force 23 March 1976).

against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT),[7] and the *1989 Convention on the Rights of the Child* (CRC).[8]

16. Australia is a party to the 1951 Refugee Convention, the ICCPR, the CAT and the CRC.

IV. UNHCR'S DEFINITION OF COMPLEMENTARY PROTECTION

17. UNHCR defines "complementary" forms of protection as referring to legal mechanisms for protecting and according a status to a person in need of international protection who does not fulfil the refugee definition of the 1951 Refugee Convention.

18. UNHCR considers such mechanisms to be a positive and pragmatic response to certain international protection needs not covered by the 1951 Refugee Convention, but wishes to ensure that this form of international protection complements, and does not undermine, refugee status under the 1951 Refugee Convention.

19. ExCom Conclusion No 103 (LVI) – 2005 on the Provision of International Protection Including Through Complementary Forms of Protection affirms that complementary forms of protection should only be resorted to after full use has been made of the 1951 Refugee Convention.[9] It also distinguishes complementary protection clearly from temporary protection – a specific, provisional response to situations of mass influx. Finally, the Conclusion underlines the importance of developing the international protection system in a way which avoids protection gaps, and enables all those in need of international protection to find and enjoy it.

20. States Parties' obligations under the 1951 Refugee Convention and international human rights instruments are binding obligations which should be considered as the framework for any efforts to set supplementary standards.

V. INTRODUCTION OF A LEGISLATIVE FRAMEWORK FOR COMPLEMENTARY PROTECTION

1. UNHCR welcomes the codification of Australia's *non-refoulement* obligations under certain human rights instruments.

21. UNHCR welcomes the proposed introduction, in Australia, of a legislative basis to protect persons who may not qualify as refugees under the 1951 Refugee Convention, but who are nonetheless in need of international protection, based on binding obligations under international human rights instruments. Such codification provides a clearer and more predictable framework within which assessments of international protection needs can be made.

[7] 1984 CAT, opened for signature 10 December 1984, 1465 UNTS 112 (entered into force 26 June 1987).
[8] 1989 CRC, opened for signature 20 November 1989, 1577 UNTS 3 (entered into force 2 September 1990).
[9] ExCom Conclusion No. 103 (LVI) – 2005.

VI. GROUNDS FOR PROVIDING COMPLEMENTARY PROTECTION

22. UNHCR notes that the Australian draft complementary protection legislation will extend to persons who cannot be removed pursuant to Australia's *non-refoulement* obligations under the ICCPR, the CAT and the CRC. Australia currently gives effect to its obligations under those treaties pursuant to a system of non-compellable, non-appellable ministerial intervention.

23. The grounds are listed in subsection 2A:

> (2A) The matters are that:
> (a) the non-citizen will be arbitrarily deprived of his or her life; or
> (b) the non-citizen will have the death penalty imposed on him or her and it will be carried out; or
> (c) the non-citizen will be subjected to torture; or
> (d) the non-citizen will be subjected to cruel or inhuman treatment or punishment; or
> (e) the non-citizen will be subjected to degrading treatment or punishment.

24. The grounds and their definitions within the draft legislation appear to be in line with the relevant human rights instruments and it is appreciated that the CAT requirement that the torture be carried out by a State agent has not been incorporated, and rather the wider ICCPR definition has been adopted. UNHCR notes the commitment in the Explanatory Memorandum that the *non-refoulement* obligations may also be implied under the CRC and that claims by children will be assessed in an age-sensitive way, in view of the specific needs of children. UNHCR welcomes gender and age-sensitive assessments of refugee and complementary protection claims.

VII. GENERALIZED VIOLENCE OR EVENTS SERIOUSLY DISTURBING PUBLIC ORDER

25. Although UNHCR's competence has been extended to include particular groups of people who face serious (including indiscriminate) threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order,[10] UNHCR notes that the draft legislation does not intend to provide persons in this category with complementary protection.

26. In UNHCR's view, the form of complementary protection provided in the draft legislation is an important additional safeguard and would only apply to a relatively small number of cases which are currently afforded protection under ministerial intervention. UNHCR does not, therefore, expect there will be significant increases in the number of protection visas granted as a result of this draft legislation.

[10] See above n 3.

VIII. SINGLE DETERMINATION PROCEDURE

2. UNHCR welcomes the Australian proposal to introduce a single procedure for the grant of protection visas by which an assessment is made, firstly to determine eligibility for refugee status, and secondly for complementary protection needs.

27. UNHCR's Agenda of Protection, a Programme of Action adopted by the Office and Contracting States to the 1951 Refugee Convention in 2002, recommended

> States to consider the merits of establishing a single procedure in which there is first an examination of the 1951 Convention grounds for refugee status, to be followed, as necessary and appropriate, by the examination of the possible grounds for the grant of complementary forms of protection.[11]

28. ExCom Conclusion No 103 (LVI) – 2005 on the Provision of International Protection Including Through Complementary Forms of Protection:

> *Encourages* States to consider whether it may be appropriate to establish a comprehensive procedure before a central expert authority making a single decision which allows the assessment of refugee status followed by other international protection needs as a means of assessing all international protection needs without undermining refugee protection and while recognizing the need for a flexible approach to the procedures applied.[12]

29. Although some States have separate procedures, it is UNHCR's view that a single procedure may be more efficient in determining whether a person is in need of international protection. This would entail – in any application for asylum – first an examination of the 1951 Refugee Convention grounds, to be followed, as necessary and appropriate, by an examination of the possible grounds for the grant of a complementary form of protection. A single procedure would also make it easier to ensure that appropriate legal guarantees, including a right of appeal to an independent body, are available in relation to all decisions concerning a person's entitlement to international protection.

30. UNHCR believes that it is important to maintain a clear distinction and rigorous approach to assessing refugee claims first and complementary protection needs second, only after the refugee claim has been considered. The draft legislation establishes this distinction.

[11] UNHCR, *Agenda for Protection* (3rd ed, October 2003), 34.
[12] ExCom Conclusion No. 103 (LVI) – 2005, (q).

IX. STANDARD OF TREATMENT

3. UNHCR welcomes the intention to grant those found to be in need of complementary protection a protection visa with similar conditions and entitlements as refugees.

31. UNHCR welcomes the intention of the Australian Government to grant all persons recognized to be in need of international protection, and who are not subject to the exclusion provisions established for the grant of protection visas, similar basic civil, political, economic and social rights as those afforded to refugees and the acknowledgement that their need for protection can be as long in duration. This should include appropriate protection to children as set out for children who seek refugee status or are considered to be refugees in article 22 of the CRC.

X. STANDARD OF PROOF AND TEST OF 'IRREPARABLE HARM'

4. UNHCR recommends the removal of the test of 'irreparable harm' from the proposed sub-paragraph 36(2)(a)(aa), and subsections 36(2)(2B), 36(4) and (5), as such a test has no basis in international law or jurisprudence.

32. UNHCR is of the view that the standard of proof established in the proposed legislation should be consistent with international human rights law and jurisprudence. UNHCR therefore has some concerns about the proposed insertion, after section 36(2)(a) of the *1958 Migration Act*, of the following:

> (aa) a non-citizen in Australia (other than a non-citizen mentioned in paragraph (a)) to whom the Minister is satisfied Australia has protection obligations because the Minister has substantial grounds for believing that, as <u>a necessary and foreseeable consequence</u> of the non-citizen being removed from Australia to a receiving country, there is a real risk that the non-citizen will <u>be irreparably harmed</u> because of a matter mentioned in subsection (2A);[13]

33. UNHCR notes that the test established in the European Union's *Council Directive 2004/83/EC of 29 April 2004* is whether 'substantial grounds have been shown for believing that the person concerned … would face a <u>real risk of suffering serious harm</u> as defined in Article 15 (see Article 2 (e)).'[14] The appropriate test is that of 'real risk', which the UN Human Rights Committee has interpreted to mean that the risk of ill-treatment 'must be real, i.e. be the necessary and foreseeable consequence of deportation'.[15]

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[13] Migration Amendment (Complementary Protection) Bill 2009, Item 11 (emphasis added).

[14] European Union: Council of the European Union, *Council Directive 2004/83/EC of 29 April 2004 on Minimum Standard for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons who otherwise need International Protection and the Content of the Protection granted* (Official Journal of the European Union L 304/12 of 30 September 2004) (emphasis added).

[15] *ARJ v Australia*, Communication No. 692/1996, UN Doc CCPR/C/60/692/1996 (11 August 1997), [6.14].

34. There are sound reasons why a similar standard of proof should be applied in respect of both complementary protection applicants and asylum-seekers, especially when eligibility is determined through a single determination procedure. UNHCR is of the view that there is no basis for adopting a stricter approach to assessing the risk of ill-treatment in cases of complementary protection than there is for refugee protection because of the similar difficulties facing claimants in obtaining evidence, recounting their experiences, and the seriousness of the threats they face.

35. In the refugee context, UNHCR's *Handbook on Procedures and Criteria for Determining Refugee Status* ("the UNHCR Handbook")[16] provides that an applicant's fear of persecution should be considered well-founded if he 'can establish, to a reasonable degree, that his continued stay in his country of origin has become intolerable'.[17] UNHCR's *Note on Burden and Standard of Proof in Refugee Claims* adds that 'there is no requirement to prove well-foundedness conclusively beyond doubt, or even that persecution is more probable than not. To establish "well-foundedness", persecution must be proved to be reasonably possible.'[18]

36. Sir Elihu Lauterpacht and Daniel Bethlehem contend that:

> This threshold will require more that mere conjecture concerning a threat but less than proof to a level of probability or certainty. Adopting the language of the Human Rights Committee and the European Court of Human Rights in respect of *non-refoulement* in a human rights context, the appropriate test will be whether it can be shown that the person concerned would be exposed to a 'real risk' of persecution or other pertinent threat.[19]

37. Accordingly, the requirement that the risk of ill-treatment is a necessary and foreseeable consequence of removal is surplusage beyond the relevant test of 'real risk'.

38. In addition to 'real risk', the proposed insertion introduces an additional test that the applicant must be 'irreparably harmed'. The Explanatory Memorandum indicates that the language of the Migration Amendment (Complementary Protection) Bill 2009 relies on General Comment 31 of the UN Human Rights Committee which, inter alia, provides that

> the article 2 obligation requiring that States Parties respect and ensure the Covenant rights for all persons in their territory and all persons under their control entails an obligation not to extradite, deport, expel or otherwise remove a person from their territory, where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by articles 6 and 7 of the Covenant, either in the country to which removal is to be effected or in any country to which the person may subsequently be removed.[20]

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[16] UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status*, UN Doc HCR/1P/4/Eng/REV.2 (2nd ed, 1992).
[17] Ibid [42] (emphasis in original).
[18] Ibid [17].
[19] Sir Elihu Lauterpacht and Daniel Bethlehem, 'The scope and content of the principle of *non-refoulement*: Opinion' in Erika Feller, Volker Türk and Frances Nicholson (eds), *Refugee Protection in International Law: Global Consultations on International Protection* (2003), 87-181, [135] (emphasis added).
[20] UN Human Rights Committee, *General Comment No. 31 [80] Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, UN Doc CCPR/C/21/Rev.1/Add.13 (26 May 2004), [12] (emphasis added).

39. UNHCR is of the view that the UN Human Rights Committee did not intend to introduce a test of 'irreparable harm', but was, rather, using it to describe the harm envisaged in articles 6 and 7 and, indeed, other forms of harm which could be described as 'irreparable'. The term was intended to describe the *seriousness* (or gravity) of the harm contemplated in those articles with regard to the death penalty, torture and cruel, inhuman or degrading treatment or punishment, rather than to imply a need for the harm to be demonstrably 'irreparable' (or *permanent*) in nature. It could also be understood to mean something for which there can be no compensation. These varying interpretations indicate some of the issues decision makers would face in applying the test and might be either a too high or too low threshold, depending on interpretation. There is, in UNHCR's view, no basis in international law for introducing a test of 'irreparable' harm.

40. UNHCR welcomes the Government of Australia's recognition, in the Second Reading Speech, of the concluding observations of the Committee against Torture (May 2008) and Human Rights Committee (May 2009).[21] However, UNHCR notes that the Committee against Torture also took the opportunity to remind

> States parties that under no circumstance can they resort to diplomatic assurances as a safeguard against torture or ill-treatment where there are substantial grounds for believing that a person would be in danger of being subjected to torture or ill-treatment upon return.[22]

41. This point may be particularly relevant in the interpretation of the proposed subsection 36(2)(2B)(b), which states that 'there is taken not to be a real risk that … the non-citizen could obtain, from an authority of the country, protection…'.[23]

XI. FAMILY UNIT

42. UNHCR welcomes the extension of complementary protection to family members in proposed subsection 36(2)(c), consistent with the UNHCR Handbook.[24]

XII. 'EFFECTIVE PROTECTION ELSEWHERE'

5. UNHCR recommends that the concept of 'effective protection elsewhere' relating to refugee (and potentially complementary protection) applicants should not form part of the determination process.

43. Section 36(3) of the *1958 Migration Act* provides that Australia does not owe protection obligations to an applicant for refugee protection who has not taken all possible steps to

[21] Second Reading Speech – House of Representatives, Migration Amendment (Complementary Protection) Bill 2009, 5.
[22] Committee against Torture, *Concluding observations of the Committee against Torture: Australia*, CAT/C/AUS/CO/1 (15 May 2008), [16].
[23] Migration Amendment (Complementary Protection) Bill 2009, Item 13.
[24] Ibid [185]. See also ExCom Conclusion No. 24 (XXXII) – 1981 Family Reunification, (5), and Conclusion No. 88 (L) – 1999, (ii).

avail himself or herself of a right to enter and reside in any country apart from Australia (where he or she is not at risk of persecution or chain *refoulement*). Sometimes referred to as 'effective protection elsewhere', the draft legislation proposes to extend this concept to those in need of complementary protection, pursuant to the proposed subsections 36(4) and (5).

44. UNHCR avails itself of this opportunity to express its ongoing concern with the use of this concept of effective protection elsewhere with regard to refugee (and potentially complementary protection) applicants. The concept does not constitute a principle of international refugee law and, at best, can be seen as a device used by States to determine which of them has the primary responsibility to facilitate the refugee status determination and durable solution for a recognized refugee. In UNHCR's view, the concept introduces a procedural bar which cannot be a substitute for a substantive assessment of an applicant's need for refugee or complementary protection and, therefore, should not form part of the determination process.

XIII. INTERNAL FLIGHT OR RELOCATION ALTERNATIVE

6. UNHCR considers it preferable for a proper analysis and assessment of any internal flight or relocation alternative to evolve through jurisprudence rather than through specific legislative provision.

45. In the refugee context, the internal flight or relocation alternative refers to a specific area of the country where there is no risk of a well-founded fear of persecution (*relevance analysis*) and where, given the particular circumstances of the case, the individual could reasonable be expected to establish him/herself and live a normal life (*reasonableness analysis*).[25]

46. The draft legislation proposes, in subsection 36(2)(2B)(a), to transpose this very complex legal and factual concept to the determination of an applicant's need for complementary protection, providing that 'there is taken not to be a real risk [where] … it would be reasonable for the non-citizen to relocate to an area of the country where there would not be a real risk that the non-citizen will be [subject to ill-treatment]'.[26]

47. UNHCR is of the view that proposed subsection establishes a clear legislative basis to assess any internal flight or relocation alternative; however, considers it preferable for a proper analysis and assessment of an applicant's international human rights to evolve through jurisprudence rather than through specific legislative provision.[27]

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[25] UNHCR, *Guidelines on International Protection: 'Internal Flight or Relocation Alternative' within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees*, UN Doc HCR/GIP/03/04 (23 July 2003), [9]-[30].
[26] Migration Amendment (Complementary Protection) Bill 2009, Item 13.
[27] UNHCR Handbook, above n 10, [91]; UNHCR, Internal Flight or Relocation Alternative, above n XX, [X].

XIV. EXCLUSION FROM COMPLEMENTARY PROTECTION

48. The 1951 Refugee Convention envisages that a person who is properly excluded from that Convention under article 1F may be returned to his or her country of nationality, or former habitual residence, notwithstanding the existence of a well-founded fear of persecution. However, if such a person would face torture, cruel and inhuman or degrading treatment or punishment, then he or she cannot be returned because of the absolute and non-derogable nature of the *non-refoulement* obligation pursuant to the ICCPR and the CAT.

49. UNHCR acknowledges the distinction between respecting the *non-refoulement* obligation, on the one hand, and resolving an immigration status (by grant of a visa) on the other. It is UNHCR's view, however, that any denial of international protection on the grounds that the applicant is a threat to national security, public order or public interest requires these criteria to be clearly defined and applied in a rigorous, transparent and consistent manner.

XV. CHARACTER GROUNDS

7. UNHCR recommends that further consideration is afforded to what kind of immigration status and associated rights should be granted to persons in need of international protection who have been denied substantive (protection) visas on character grounds.

50. UNHCR notes its concern where persons who are recognized as satisfying the refugee definition contained in the 1951 Refugee Convention, or are recognized as being in need of a complementary form of protection, have been denied substantive (protection) visas on character grounds.

51. While UNHCR recognizes that the Bridging (Removal Pending) Visa represents a pragmatic advance on the former practice of indefinite detention where removal was not practicable at the time, UNHCR is of the view that further consideration should be afforded to what kind of immigration status (including possible renaming of the class of visa) and associated rights, notably family reunification, such persons should possess until such time as they may apply for a more permanent visa.

XVI. REFUGEE STATUS ASSESSMENT (RSA) PROCEDURES FOR 'OFFSHORE' PROCESSING

8. UNHCR recommends that the determination of an offshore entry person's needs for refugee and complementary protection are codified in legislation or, in the absence of such legislation, that the RSA Procedures Manual and Independent Merit Review Guidelines contain specific reference to the need to consider complementary protection needs as part of a single determination procedure and following consideration of refugee status.

52. UNHCR is of the view that there should be a legislative basis for all decision-making to ensure clarity and to ground the decisions, to the extent possible, in Australian law in a non-discriminatory manner which incorporates consideration of Australia's *non-refoulement* obligations under the ICCPR, the CAT and the CRC. UNHCR is of the view that refugee status assessment procedures for persons who arrive in excised territories should have a legislative basis which includes consideration of complementary protection needs.

53. Notwithstanding UNHCR's concerns about the non-statutory nature of the procedures, in the absence of a legislative basis, the Refugee Status Assessment (RSA) Procedures Manual and Independent Merit Review Guidelines should contain specific and additional reference to the need to consider complementary protection as part of a single determination procedure and following consideration of an applicant's eligibility for refugee status.

XVII. STATELESS PERSONS

9. UNHCR welcomes future discussions with the Government of Australia to develop a separate and distinct statelessness determination mechanism to identify, and provide international protection to, stateless persons.

54. The 1951 Refugee Convention, the ICCPR, the CAT and the CRC are sufficiently broad to provide international protection of stateless persons. If, however, an individual is stateless but does not have a well-founded fear of persecution or other international protection need, the *1954 Convention relating to the Status of Stateless Persons* and the *1961 Convention on the Reduction of Statelessness* are the appropriate reference points.[28]

55. UNHCR notes that Australia is yet to develop a separate and distinct statelessness determination mechanism to identify, and provide international protection to, persons not covered by the 1951 Refugee Convention or certain international human rights instruments. UNHCR would welcome future discussions with the Government of Australia to ensure these residual cases have access to international protection.

UNHCR Regional Representation for Australia,
New Zealand, Papua New Guinea and the Pacific

30 September 2009
Canberra

[28] *1954 Convention relating to the Status of Stateless Persons*, opened for signature 28 September 1954, 360 UNTS 117 (entered into force 6 June 1950); *1961 Convention on the Reduction of Statelessness*, opened for signature 30 August 1961, 989 UNTS 175 (entered into force 13 December 1975).