

The April issue starts with a tribute to Managing Partner David Bitel – an Honorary Life Membership conferred by the Refugee Council of Australia. Student visa changes which came into law in March are reported in full detail, together with action on Bridging Visas. Also included are Australia's relations with other nations through Foreign Affairs.

David Bitel awarded Honorary Life Membership of RCOA

Our Managing Partner David Bitel was awarded the honour of being made a Life Member of the Refugee Council of Australia (RCOA) recently. He has particular interest in the problems of refugees and was the President of the Refugee Council of Australia from 1995 to 2005. He continues to hold the position of Immediate Past President. He was founding chairman of the Australian Refugee Foundation and the Refugee Advice and Casework Service. He received Austcare's prestigious Paul Cullen Humanitarian Award in 2002 for his work with and for refugees. On the occasion of his award he delivered an acceptance speech summing up the many years he has served on the Refugee Council. A copy of the speech is available on our website, www.ppilaw.com.au.

Suspect Agents and RSMS in Bangladesh

We became aware in mid March this year that a number of companies based in Bangladesh were using David Bitel's name without authorisation to promote their services. We do not maintain any agents or representatives in Bangladesh nor do we have any agreements in place allowing others to act on our behalf. Companies who have purported to have a connection with David Bitel operated, to all intents and purposes, as legitimate businesses and are supported by substantial advertising campaigns targeting the RSMS (Regional Sponsored Migration) schemes in Australia. People were encouraged to make appointments and pay significant amounts of money upfront and were advised at that stage that the experienced Australian immigration lawyer who would be handling their case was David Bitel.

Following our own initial enquiries we referred the matter to the Australian High Commission in Dhaka who subsequently made their own enquiries and visited one of the businesses, and interviewing those involved. Their feedback was that these businesses were not legitimate, did not have the expertise and were acting without approval of any sort. One business has now admitted this and promised to cease business immediately but chose to continue to trade nevertheless. In order to further distance ourselves we wrote an article in *Bangla Barta* and advertised in Bangladeshi newspapers, making it clear that we did not have any agents in Bangladesh and anyone wishing to migrate would need to contact us directly. In an attempt to put a stop to these unlawful practices, David Bitel travelled to Dhaka recently to confront the businesses directly. He visited each of the businesses and advised them that they must cease using his name in connection with their businesses. He also met with Australian High Commission staff in relation to the practices of such businesses. The issue has also been drawn to the attention of the Bangladesh authorities.

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2012 Immigration Law Conference held in Sydney

The Immigration Lawyers Association of Australasia Focus Group (ILAA) hosted the 2012 CPD Immigration Law Conference in Sydney recently. With a theme of "Current challenges-future trends", the aims of the Conference were to highlight and discuss important immigration law issues and to provide participants with a forum to exchange experiences.

Topics discussed included:

- The clash of law and policy-immigration law versus administrative law
- Complimentary Protection Changes - A New Paradigm
- Australia's Migration Program in a global context
- Expressions of Interest and Skill Select
- The growth of the 457 visa program and compliance regimes
- Ethics for lawyer agents and the challenges of dual regulation

www.lawcouncil.asn.au/shadomx/apps/fms/fmsdownload.cfm?file_uuid=C6273C37-E898-0245-776A-026089381844&siteName=lca

ILAA address by Paul Power

Among the speeches delivered at the above conference was the address by Paul Power, CEO Refugee Council of Australia. His focus was on asylum seekers, detention centres and a divisive political debate. Below are excerpts from his speech:

"[Until] July this year, Australia is chairing the international dialogue on refugee resettlement which brings together governments and NGOs from resettlement states and senior officials of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

"This dialogue largely focuses on issues relating to the selection and preparation of refugees for resettlement but I suggested that Australia should put on a sharper focus on the post-arrival support of refugees by hosting a meeting of the Working Group on Resettlement in Melbourne. This ... meeting attracted 87 delegates from 18 countries – government, NGO and UNHCR people involved in senior management roles in refugee resettlement programs.

"I was expecting that the gathering would create a great deal of energy and interest but the feedback from the visiting delegates was even more positive than I had dared to hope. The gathering confirmed that, while we all know that there is room for improvement, Australia has the most comprehensive and sophisticated systems of support for resettled refugees anywhere in the world.

"But while the visiting delegates were effusive in their praise of our settlement support services for refugees, they were also asking questions ... about the political debates about asylum which were being reported in the media.

"The needs of refugees and asylum seekers seem to bring out the best and worst in our national character. The question for Australians who are upset by the unacceptability of policies which hurt asylum seekers is: How do we respond? What positive steps can we take to reclaim the initiative on refugee policy?

"Some of the most effective responses to the inequities of Australia's asylum policy have come from ... practitioners in immigration law. In the past 18 months, we

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have seen three vitally important High Court judgements which have resulted from highly effective pro bono work from talent lawyers. In these judgements, the High Court has determined that:

- procedural fairness must be applied to all asylum determinations, even those decided under the excision provisions of the Migration Act;
- under the Migration Act, Australia cannot forcibly remove asylum seekers to a country which does not provide protections for refugees under domestic or international law;
- unaccompanied refugee minors cannot be excluded from family reunion because they might turn 18 before the Immigration Department finally determines their family reunion application.

“When we consider current Australian refugee policy, we do live, to borrow a line from Charles Dickens, in the best of times and the worst of times. As I have outlined, it is possible simultaneously to be very proud and deeply embarrassed by different aspects of our national policy. But we have many examples around us of people who were not content to do nothing in response to additional suffering inflicted on asylum seekers in Australia. It is our choice whether or not we join them.”

www.lexmonitor.com/browse/19-immigration-law

Student visa changes – from 24, 26 March 2012

As part of the Stage Two implementation of the Knight Review changes to the Student Visa Program, the following changes will commence on Saturday 24 March or Monday 26 March 2012:

1. Changes to Assessment Levels – from 24 March

Student visa applicants who lodge their applications with a Confirmation of Enrolment (CoE) from a participating university in Australia at Bachelor, Masters (by coursework) or Doctoral degree level will be assessed as though they were a lower migration risk (similar to the current Assessment Level 1), regardless of their country of origin.

This means that these applicants would generally have reduced evidentiary requirements when applying for Student visas.

2. More flexible work conditions – from 26 March

The current work condition of 20 hours per week while the course is in session will be changed to 40 hours per fortnight during any fortnight while the course is in session.

Higher Degree by Research (HDR) Student visa holders will not be limited in the number of hours that they can work once their course has commenced.

These changes would apply to both new Student visa holders from 26 March and existing Student visa holders.

3. English language study – from 24 March

The maximum period of English language study for Schools Sector (Subclass 571) visa holders subject to Assessment Level 3 and above will be increased to 50 weeks.

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In addition, from 24 March, new Student Guardian (Subclass 580) visa holders will be able to undertake unlimited ELICOS study on a part time basis (less than 20 hours per week) while in Australia as the holder of that visa.

In addition, in 2012, it is proposed that the names of Education Agents who recruit international students be listed in the Department of Innovation, Industry, Science, Research and Tertiary Education's Provider Registration and International Students Management System (PRISMS) to allow for better Education Agent monitoring and to help enhance the integrity of the Student visa program.

4. No English language test requirement for AL4 Subclass 571 applicants - from 24 March

The requirement for Assessment Level 4 Schools Sector (Subclass 571) applicants to provide evidence of an English language proficiency test to support their application for a Student visa will be removed.

5. Student visas granted more than four months before the start of the course – from 24 March

The eVisa system will have been upgraded to allow Student visas to be granted more than four months before the start of the course.

6. Student visa integrity

Subject to the passage of legislation through Parliament in 2012, it is proposed that the automatic cancellation of Student visas and the mandatory cancellation of Student visas for unsatisfactory attendance, unsatisfactory progress, and working in excess of the hours allowed, be abolished.

This change would allow the Department to determine cancellation in particular cases on their merits, providing a fairer outcome for international students.

Changes to Protection Visa Processing - from 24 March

From Saturday 24 March, two changes to Protection visa (Subclass 866) processing will take effect:

1. Complementary protection claims will be considered as part of the Protection visa assessment process; and
2. There will be a single statutory Protection visa process for both boat and air arrivals.

Migration Institute of Australia Newsletter, Issue 2012.11 – 20 March 2012

For further details see the DIAC website: <http://www.immi.gov.au/students/knight/>

Villawood death prompts call for inquest from suicide chief

The chairman of Suicide Prevention Australia, Michael Dudley, has called for an inquest into the death of an Iranian asylum seeker, held for 18 months at the Villawood detention centre, whom he had personally urged the government to release on medical grounds.

The man, 44, died in hospital of an apparent heart attack. Papers had been lodged with the Iranian embassy for his deportation after his asylum claim had been

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repeatedly rejected. He had been jailed previously by the Iranian regime and his brother executed.

Dr Dudley said the link between anxiety and heart disease was well known and he had written a psychiatric assessment of the man, arrested in Iran for joining freedom protests in 2009, that stated prolonged detention was worsening his depression and post-traumatic stress disorder.

"His vulnerability was really compounded by his detention and the strong possibility of being deported to his death ... and the suicide of other detainees at Villawood."

The man cannot be named because his wife and children remain in Iran.

An Immigration Department spokeswoman said the department expressed its sympathy to the man's family and would co-operate with any investigation.

<http://www.smh.com.au/action/printArticle?id=3077800>

DIAC to rethink detainee transfer processes

An Ombudsman investigation into the transfer of 22 detainees to the Metropolitan Remand and Reception Centre at Silverwater during the April 2011 riots at Villawood Immigration Detention Centre has prompted the Department of Immigration and Citizenship (DIAC) to review its processes.

Acting Deputy Ombudsman George Masri said the investigation had found deficiencies in the way in which detainees were notified about their transfer to Silverwater, the records kept by DIAC and the follow up with detainees after their transfer.

'DIAC did not follow its own procedures in relation to the transfers either during or after the incidents at Villawood on 20 and 21 April last year,' he said. 'Notwithstanding the operational demands at the time, once the physical threat to staff and detainees had passed, DIAC had an obligation to ensure that all procedural and administrative requirements were met. This did not happen.'

Mr Masri said that DIAC had not appropriately informed the detainees about why they had been transferred to Silverwater and had delayed notifying the detainees' migration agents. There were also considerable gaps in DIAC's records regarding these transfers.

'DIAC's own procedures require it to keep comprehensive records about the welfare of a person in immigration detention who has been transferred to a correctional facility but, when asked, the department was not able to produce any relevant records,' he said.

'Nor did DIAC fully comply with its mandated requirement to visit a detainee in a correctional institution within 24 hours of arrival at the institution and to contact them weekly thereafter, either in person or by telephone.'

DIAC has agreed to the Ombudsman's recommendations for improving its processes and instigated a review of transfer arrangements between immigration and correctional detention.

<http://www.ombudsman.gov.au/media-releases/show/204>

Another win for refugees as court time limit lifted

The Immigration Department has suffered another significant judicial defeat, with the Federal Court's full bench ruling there is no time limit on boat arrivals accessing the courts.

The department had issued letters to asylum seekers it had rejected as refugees stating they had 35 days to seek judicial review of the decision, or the government would begin making arrangements to deport them.

The Federal Court said the letters were "misconceived", and decisions reached by independent merit reviewers contracted by the department to assess refugee claims did not have legal effect under the Migration Act.

The Federal Court decision came in response to appeals by five Afghan asylum seekers who had been refused review by the Federal Magistrates Court because their applications were lodged more than 35 days after they received rejection letters.

Mr Blanks, who represents four of the Afghans, said the ruling had a wide impact because asylum seekers stuck in remote detention centres had difficulty accessing pro bono lawyers and applications were being rejected by the Federal Magistrates Court because they were out of time.

A large number of refugee decisions brought to the court had been found to be invalid because of lack of fairness, and in some cases, apparent bias by department reviewers.

A spokeswoman for the Immigration Department said it was considering the implications. "The department notes the time limits still apply in respect of appeals from the Refugee Review Tribunal. We will shortly be moving to single protection visa processing for both boat and air arrivals, with independent review through the Refugee Review Tribunal," she said.

The refugee tribunal's executive officer, Tina Edwards, said the tribunal had begun recruiting new members to cope with the increased workload, and they were expected to start in July.

www.smh.com.au/national/another-win-for-refugees-as-court-time-limit-lifted-20120313-1uyij.html

Boat refugees will be assessed as air arrivals

Asylum seekers arriving by boat will be assessed for refugee status in the same system as air arrivals, as the federal government removes one of the last vestiges of the Pacific Solution.

About 1300 asylum seekers who arrived by boat before March 24, but are still waiting for their first refugee assessment interview, will also be processed under the new system, the immigration department said.

In December 2010 the High Court ruled that boat arrivals, regardless of whether they were detained offshore, could seek judicial review.

Last year the Federal Magistrates Court found at least 24 per cent of decisions made in the separate process for boat arrivals were legally invalid. Last week the Federal Court ruled there was no time limit on boat arrivals seeking judicial review.

The Immigration Minister, Chris Bowen, said the parliamentary impasse that prevented offshore processing meant there was no benefit in having a separate system for boat arrivals.

The Refugee Review Tribunal, which had just 1 per cent of decisions overturned last year, will examine appeals by boat arrivals.

The criteria upon which an assessor can grant a visa will also be broadened from March 24.

www.smh.com.au/opinion/political-news/boat-refugees-will-be-assessed-as-air-arrivals-20120319-1vfrn.html

Most asylum seeker rioters turned out to be refugees

Most asylum seekers detained during the Christmas Island and Villawood riots were later found to be refugees, new data shows, challenging an inquiry finding that blamed the unrest on increasing numbers of rejected detainees who would not accept the umpire's decision.

Department of Immigration data shows 88 per cent of asylum seekers who arrived by boat in 2009-10, including those who were initially rejected, have been found to be refugees and now have a visa. Sixty-eight per cent of those arriving in 2010-11, including those initially rejected, also have a visa. Final approvals are expected to be higher as half of these people are awaiting review.

The government has repeatedly blamed the riots on large numbers of detainees being on "a negative pathway", rather than detention conditions.

The Greens senator Sarah Hanson-Young, has questioned these findings. "These statistics prove that the government's rhetoric – that people who have been in detention long-term are not refugees and are on negative pathways – is simply not true. Most, in fact, are genuine refugees who have been unnecessarily detained for far too long," she said.

www.smh.com.au/national/most-asylum-seeker-rioters-turned-out-to-be-refugees-20120306-1uief.html

Buried: the report that warned of asylum riot

A damning report that predicted the scale of last year's riots by asylum seekers on Christmas Island but was never shown to the Immigration Minister, Chris Bowen, or his department head has been obtained by the Sydney Morning Herald.

Written by Keith Hamburger, the report accurately warned that the best efforts of staff or emergency services to contain unlawful behaviour would be "severely compromised" by overcrowding, understaffing and inadequate infrastructure on the island.

The report implored the Immigration Department to "avoid at all costs" failures that could result in harm to staff, asylum seekers, visitors and members of the public. It said such failures, in the worst case, would have "serious legal consequences".

A spokesman for Mr Bowen said yesterday the failure to brief either the minister or his department head, Andrew Metcalfe, on the report had been "unacceptable and regrettable", but defended the government's response to overcrowding.

The existence of the report, and the failure to brief Mr Bowen and Mr Metcalfe, was revealed in the findings of last year's Hawke-Williams inquiry into the riots, but its contents have remained secret until now.

It is understood that the official who failed to brief Mr Metcalfe or Mr Bowen on the report has since retired.

Mr Bowen's said through a spokesman last night that the government had worked "extremely hard" to reduce the number of people in detention and prevent such incidents occurring again.

www.smh.com.au/opinion/political-news/buried-the-report-that-warned-of-asylum-riot-20120323-1vpbr.html

No child should learn the three R's behind bars

In October 2010, the Federal Government announced it would remove most children out of immigration detention facilities and into the community.

Latest figures show that around 528 children remain in immigration detention facilities or alternative places of detention.

A detention facility is no place for a child, let alone a vulnerable child whose life experiences have been shaped by conflict, war or persecution.

The Australian Medical Association recently described the detention of children as a form of child abuse.

The Government justifies the detention of children on the basis that they are not in detention “centres”, but “facilities” or “alternative places of detention”.

Apart from leaving a place of detention to go to school or for very rare supervised family outings, children spend most of their time behind fences.

A Just Australia, newsletter of the Refugee Council of Australia, 21 March 2012

Be sure you can return – for Bridging visa C holders

Can I travel overseas on a Bridging visa C?

We have already talked about what to do if you hold a Bridging visa A (rather than a substantive visa) and want to travel.

We also spoke about how a Bridging visa B is the best option for people wanting to leave Australia and return.

This time, we’re talking about what to do if you hold a Bridging visa C and you have applied for a skilled migration visa in Australia.

The Bridging visa C only allows you to remain in Australia. It has no travel facility and will cease immediately if you leave Australia, even if you also hold a substantive visa allowing you to travel.

If you only hold a Bridging visa C, we recommend you remain in Australia until your substantive visa application is decided—this is because you are not eligible for the travel bridging visa, the Bridging visa B.

If you have an urgent need to travel overseas, you should contact the Department of Immigration and Citizenship to discuss your options before departing.

Be sure you can return – more information

Bridging visas and your application for skilled migration

Some of you have asked about leaving Australia while waiting for a visa application to be processed. This is the second post for people who have lodged an application for a skilled migration visa in Australia, but who would like to go overseas while their skilled migration visa application is being processed.

This time, we’re talking about what to do if you hold another substantive visa, such as a Student or a Skilled – Graduate visa and you have applied onshore for a skilled migration visa.

Your Bridging visa A ceases when you leave Australia. If you decide to travel on another substantive visa without first applying for and being granted a Bridging visa B, you risk becoming unlawful after you return to Australia when your substantive visa ceases.

Also, while you may be able to return to Australia on the same or a different substantive visa, and apply for a replacement Bridging visa A, you will then have to abide by the conditions of that visa until it ceases, including any work limitations. For example, if you return on a Student visa, your work entitlements will revert to those of a student — 20 hours per week.

If you return to Australia on a Bridging visa B, you will remain lawful even after your substantive visa ceases.

Be sure you can return. Investigate the Bridging visa B before you leave.

More information on bridging visas in relation to general skilled migration applications is on the DIAC website: <http://www.immi.gov.au/skilled/general-skilled-migration/bridging-visa.htm>

<http://migrationblog.immi.gov.au/>

Big Sydney: bid to boost number of migrants

The NSW government hopes to attract thousands of "high-value" migrants and students to NSW as part of a strategy to boost economic development.

The Deputy Premier and Minister for Trade and Investment, Andrew Stoner, said the government would simplify its sponsorship requirements for investors using 165 visas - for business people from overseas who are required to invest \$750,000 to \$1.5 million in Australia. It would discuss with the Commonwealth Government the introduction of a new visa to make investing in NSW more attractive.

It would ask the Commonwealth to reduce temporary residency rules, which require people to live in Australia for a set period. It also wants to make it easier for business migrants to extend their residency from four to eight years.

Under the strategy, the definition of investments would be extended to include Waratah Bonds and similar investments which the government hopes to use to help fund infrastructure in the state.

Mr Stoner said NSW would work with Victoria and the federal government to streamline visa processing and extend post-study work rights to international students to help them access a broader range of "high-quality, low-risk" education and training providers.

Reducing red tape for international students to access quality training would provide an incentive for overseas students to study in Australia, the plan said.

The NSW government will press the federal government for a greater share of state-government sponsored visas to raise its share from 11 per cent this year - 2640 people - to as high as 30 per cent.

Mr Stoner said he wanted to better align occupations with skills shortages identified by industry. "Investor migration is also an increasingly important area of focus for NSW but has only been used to attract relatively few migrants to the state in the past. Business migrants, in particular, bring with them experience, international connections, entrepreneurial skills and capital to establish new businesses."

The chief executive of the NSW Business Chamber, Stephen Cartwright, said he supported the government's push for more skilled migrants to boost the economy. "NSW needs to become more active in making clear that the state welcomes skilled migrants, investor migrants and visitors undertaking international education," he said.

www.smh.com.au/nsw/big-sydney-bid-to-boost-number-of-migrants-20120320-1vi1r.html

Move to slash red tape for foreign doctors

An easing of the tough rules imposed on overseas-trained doctors, including a relaxation in time allowed to qualify for practice and to get fluency in English has been urged by a parliamentary committee.

The House of Representatives standing committee on health and ageing, after a lengthy inquiry into the obstacles that have dogged thousands of foreign medical graduates, has produced a report, Lost in the Labyrinth.

It says while Australia should be self-sufficient in doctors, it will depend on those from other countries for some time yet.

It has recommended they be given four years to meet English requirements, double the time now allowed for some medical registrations.

The committee also calls for a review of the 10-year moratorium requiring overseas doctors to work in districts of shortage before qualifying for full Medicare provider status.

www.smh.com.au/opinion/political-news/move-to-slash-red-tape-for-foreign-doctors-20120319-1vfrv.html

Foreign Affairs

Australia Indonesia Inaugural 2+2 Dialogue

Joint communiqué from:

- Senator the Hon Bob Carr, Australian Minister for Foreign Affairs
- The Hon Stephen Smith MP, Australian Minister for Defence
- His Excellency Dr Marty Natalegawa, Indonesian Minister for Foreign Affairs
- His Excellency Dr Purnomo Yusgiantoro, Indonesian Minister for Defence

This first meeting of Australian and Indonesian Foreign and Defence Ministers is a milestone in the development of the comprehensive and strategic partnership between our two countries.

Our discussions focused on bilateral relations as well as the critical role that Indonesia and Australia can and do play together in shaping regional developments and addressing global challenges. We reaffirmed our commitment to regional and multilateral institutions, and agreed to work even more closely and cooperatively together to shape the evolving strategic landscape that connects the Indian and the Pacific Oceans.

The Lombok Treaty underpins our bilateral relationship, committing both countries to mutual respect and support for each other's sovereignty, unity, independence and territorial integrity. Under the Treaty our two countries have pledged to work together on traditional and non-traditional security threats. The fruits of the close cooperation between our law enforcement agencies are evident in Indonesia's success in disrupting terrorist networks and bringing terrorists to justice.

The close defence cooperation between our two countries is focused on counter-terrorism; maritime cooperation; humanitarian assistance and disaster relief; and peacekeeping.

As Co-Chairs of the Bali Process Indonesia and Australia have committed to enhancing our cooperation in support of disruption of people smuggling efforts, and reaffirmed our intention of establishing a Bali Process regional support office in Bangkok to strengthen further efforts to combat people smuggling under a regional cooperation framework.

http://www.foreignminister.gov.au/releases/2012/bc_mr_120315.html

Australia recognises reform in Burma

The Australian Government is supporting the democratic transition underway in Burma by easing autonomous sanctions and normalising trade.

Foreign Minister Bob Carr and Trade Minister Craig Emerson said the Australian Government, along with the international community, warmly welcomed the changes currently underway in Burma.

"Reducing our sanctions and encouraging trade recognise the far-reaching political, economic and social reforms we are witnessing in Burma in recent times. It is incumbent upon us now to support Burma in practical ways and seek greater engagement that will encourage these reforms to take root and sustain the conditions for further change to improve the lives of the Burmese people," Senator Carr said.

The sanctions adjustment will reduce the number of people subject to Australia's financial sanctions and travel restrictions from 392 to about 130 individuals.

http://www.trademinister.gov.au/releases/2012/ce_mr_120416.html

Australia commits to five-year aid program for the Philippines

A new aid strategy for the Philippines is now in place as a result of a recent agreement between AusAID and the Philippine government. The Australia–Philippines Development Cooperation Program Statement of Commitment 2012–2017 has an overarching goal to assist the Philippines to meet its development goals, with a focus on reducing poverty and assisting the poor and vulnerable to take advantage of the opportunities that can arise from a more prosperous, stable Philippines. Two strategic objectives will be pursued to achieve this goal: strengthening basic services for the poor and reducing vulnerabilities arising from climate change and conflict. The Statement of Commitment outlines the respective commitments of the Australian and Philippines Governments to deliver development results in the Philippines—with specific, measurable outcomes to be achieved over the period 2012–2017.

Many factors have contributed to the lack of progress on poverty reduction in the Philippines, including:

- High population growth which has placed strains on the cost of household living and demand for basic services
- Inequitable growth across sectors of the economy
- Income inequality – the poorest 20 per cent of the population account for only 5 per cent of total income or consumption
- Frequent natural disasters, particularly devastating typhoons, which have a bigger impact on poorer communities
- Civil unrest in some regions

Because poverty rates continue to increase in the Philippines, despite strong economic growth, the new Philippines Australia country strategy has sharpened its focus on the needs of the poor. Australia is focusing on sectors where we have experience and a comparative advantage. Education continues as the flagship sector of the program, with a deep engagement in three other sectors:

- improving local government capacity to deliver basic services
- disaster risk reduction and climate change adaptation
- improving conditions for peace and security.

In addition to the current bilateral program of \$105 million, the Philippines will receive an estimated \$18.2 million in other Australian aid flows in 2011–12, through regional projects, volunteer programs, non-government organisations and the work of the Australian Centre for International Agricultural Research (ACIAR).

Australia's approach to aid delivery in the Philippines includes increasing our policy and sectoral expertise to strengthen the impact of our aid programs. We collaborate with multilateral agencies and other bilateral donors to support common policy agendas; embedding anti-corruption measures throughout aid programs; and incorporating conflict risk management and peace-building principles in Mindanao initiatives.

<http://www.ausaid.gov.au/country/philippines/default.cfm>

\$20m aid plan for Afghanistan's poorest people

AUSAID is considering a new strategy for Afghan assistance - spending more than \$20 million over the next four years on mainly agricultural projects to assist poor residents in drought-stricken areas and to help strengthen local Afghan non-government organisations, a leaked concept paper shows.

The paper, titled Australia Afghanistan Community Resilience Scheme, proposes funding be divided among five experienced NGOs and would seek to assist the "poorest and most marginalised people" while at the same time hoping to improve broader agricultural productivity. The concept paper, which has been circulating among the aid community this year, suggests a competitive grants process for several eligible NGOs to get funding over four years and a focus on agriculture and rural development, an area which it noted AusAID needed to improve focus on.

James Goodman, from the aid monitoring group Aid/Watch, said the proposal seemed to be a departure from previous aid funding. "It is interesting that these organisations [local NGOs] would have a potentially political role in Afghanistan, which is a good thing in most contexts," he said.

www.smh.com.au/world/20m-aid-plan-for-afghanistans-poorest-people-20120209-1rx3x.html

Australia's response to Sri Lanka's LLRC Report

The Australian Government has studied closely Sri Lanka's Lessons Learnt and Reconciliation Commission (LLRC) Report, and welcomes its recommendations for addressing the post-conflict situation. It has also expressed concern however that the report fails to fully address alleged violations of international humanitarian and human rights law.

Sri Lankan President Mahinda Rajapaksa formed the LLRC in May 2010 to investigate events during the conflict [between separatist Tamil rebels and the government of Sri Lanka] between February 2002 and May 2009 and to make recommendations to advance restitution and reconciliation. The LLRC included five Sinhalese, two Tamil and one Muslim representatives.

The LLRC report contains 285 principal observations and recommendations divided into six sections: ceasefire agreement; international humanitarian law issues; human rights; land issues; restitution and compensation; and reconciliation.

Australia provides practical support for Sri Lanka's efforts towards reconciliation and reconstruction in conflict-affected areas. Since 2009, Australia has supported the clearance of land mines and unexploded ordnance from 74 square kilometres of land and the reconstruction of around 4,600 homes and an estimated 20 schools in northern Sri Lanka.

http://www.foreignminister.gov.au/releases/2012/kr_mr_120213.html

Australia trades \$108 billion in services in 2010-11

Australia's total trade in services grew by 2.4 per cent last year to \$107.9 billion. The *Trade in Services 2010-11* figures released recently by the Department of Foreign Affairs and Trade show China as Australia's largest service export market, valued at \$5.7 billion in 2010-11.

Exports of services decreased in the same period by 2.8 per cent to \$50.6 billion. This is primarily attributed to a fall in total education services, down 12 per cent to \$16.3 billion reflecting a drop in foreign students studying in Australia. Partly offsetting this fall, transport services rose 2.4 per cent to \$6.3 billion and other business services rose 6.6 per cent to \$7.4 billion, mainly due to a rise in engineering services.

The United States has been Australia's largest trade in services partner since 1984-85. Trade in services was last year valued at \$15.5 billion, nearly a third of total trade with the United States.

<http://www.dfat.gov.au/media/releases/department/2012/dfat-release-20120301.html>

Autonomous financial sanctions: Transition of regulatory responsibility

The Department of Foreign Affairs and Trade is now responsible for the implementation and administration of Australia's autonomous targeted financial sanctions. These sanctions are a key aspect of Australia's autonomous sanctions regime. Australia is one of a number of countries which seeks positive change around the world by applying autonomous sanctions to supplement United Nations Security Council sanctions and stepping in when the Security Council is unable to act.

Australia currently implements autonomous financial sanctions targeting situations of concern in Burma, Syria and Zimbabwe, and supplementing United Nations Security Council financial sanctions in relation to the Democratic People's Republic of Korea, Iran and Libya.

Under the Autonomous Sanctions Regulations 2011, any person holding assets owned or controlled by designated persons or entities must freeze these assets (in other words they are prohibited from using or dealing with these assets without authorisation). In addition it is prohibited to directly or indirectly make an asset available to, or for the benefit of, a designated person or entity without authorisation. A financial institution or asset holder uncertain as to whether the sanctions apply to a particular asset or transaction may request assistance in writing to asset.freezing@dfat.gov.au

<http://www.dfat.gov.au/media/releases/department/2012/dfat-release-20120307.html>

Playground for children displaced by the Fukushima nuclear accident

Australia's Ambassador to Japan, Bruce Miller, this week opened a new playground for kindergarten children at Iitate-mura School in Iino, Fukushima Prefecture. The Australia-Japan Foundation (AJF) funded the playground as part of its Reconstruction Initiative.

The children who will use the playground were evacuated to Iino from the village of Iitate due to radiation concerns following the 11 March 2011 earthquake and tsunami and subsequent disaster at the Fukushima nuclear power plant.

The AJF Chair, Mr Murray McLean OAM, said the Foundation was honoured to be able to help fund the playground. "The playground provides important support for the children of a community facing long-term displacement from their homes."

<http://www.dfat.gov.au/media/releases/department/2012/dfat-release-20120420.html>

Visit of the President of Lebanon

Prime Minister Gillard recently warmly welcomed President Sleiman and his accompanying delegation to Australia, the first visit to Australia by a President of Lebanon. Prime Minister Gillard and President Sleiman acknowledged the strength of people to people links between Australia and Lebanon and the foundation for a strong, productive and long-standing bilateral relationship. President Sleiman told Prime Minister Gillard that he looked forward to conferring on NSW Governor, Professor Marie Bashir the National Order of the Cedar in recognition of her contribution to enhancing friendship and cooperation between Lebanon and Australia.

<http://www.pm.gov.au/press-office/joint-statement-president-lebanon>

Speeches

Arthur Calwell Memorial Lecture

Speech delivered in Melbourne on Tuesday, 3 April 2012 by the Hon Chris Bowen MP, Minister for Immigration and Citizenship.

(Arthur Calwell was Australia's Minister for Immigration, holding this position from 1945-1949.)

<http://www.minister.immi.gov.au/media/cb/2012/cb185365.htm>

Annual Address on Immigration and Citizenship

Address presented by Professor Fiona Wood AM, Director of the Burns Service of Western Australia on 29 March 2012 at the Museum of Australian Democracy, Old Parliament House.

The aim of the annual address is to recognise the unique nation building role of Australia's planned migration and citizenship programs, and to encourage discussion about the significance of migration to the nation.

Australia's Migration Program: Integrity, Flexibility and Reform

Speech delivered at the 2012 Immigration Law Conference in Sydney by Mr Kruno Kukoc, First Assistant Secretary, Migration and Visa Policy Division. The speech focussed on the importance of having a responsive migration program that meets Australia's economic and social needs, while at the same time ensuring integrity is maintained.

Presentation to the National Security Institute

Speech delivered at the University of Canberra on 9 March 2012 by Mr Andrew Metcalfe AO, Secretary, Department of Immigration and Citizenship

Copies of the above three speeches may be downloaded at:

<http://www.immi.gov.au/about/speeches-pres/>

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