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Regional Office for
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**HAUT COMMISSARIAT
POUR LES REFUGIES**

9, Terrigal Crescent, O'Malley
Canberra, ACT 2606, AUSTRALIA
Ph:61-2-6290.1100; Fx:61-2-6290.1315
Email: aulca@unhcr.ch

Asylum Seekers on Nauru

Media Release

The UNHCR Regional Office Canberra on 18-19 December visited Nauru as part of its monitoring role and met with asylum seekers to listen to their concerns.

Most Afghan asylum seekers on Nauru had initially fled Afghanistan because of persecution by the Taliban.

The process of determining their refugee status, conducted in parallel by UNHCR and DIMIA on Nauru in 2001 and 2002, was based on objective and detailed country of origin information at that time. The process was forward-looking, as required by international law. At the time the Taliban had been removed from power.

Since then 2.5 million Afghans have voluntarily returned, 1.9 million with UNHCR assistance.

However, recent country of origin information compiled by UNHCR in Afghanistan indicates the security and human rights situation in certain regions in Afghanistan appears to be progressively and seriously deteriorating.

In the case of those Afghan asylum seekers on Nauru previously assessed by UNHCR, many are from the regions in question.

UNHCR has decided their cases merit review.

The assessment will be carried out on an individual basis and considering all the circumstances of the cases, initially reviewing the existing files and, where necessary, through additional interviews with the asylum seekers. The process will start as soon as possible and UNHCR Canberra will closely co-ordinate with UNHCR in Afghanistan to base its assessment on the most up-to-date and detailed country of origin information.

UNHCR will work with various governments to identify a solution for those individuals whose cases it assesses and whom it considers to be in need of protection.

UNHCR is also discussing with Australian authorities the situation of those Afghan individuals whose cases were decided by DIMIA and who may also be affected by the changed circumstances in the region of origin.

UNHCR's decision to review cases is based on the deteriorating situation in certain regions of Afghanistan and is the outcome of a process which began several months ago. It is not the outcome of the protests recently carried out on Nauru.

UNHCR is seriously concerned that measures of self harm may lead to unnecessary suffering and possibly tragedy. UNHCR calls on all asylum seekers on Nauru to suspend their protests while UNHCR seeks to find a fair and protection-oriented solution for those in need.

Finally, UNHCR supports the principle that finally and fairly rejected asylum seekers should be returned as soon as possible to their country of origin. There are exceptions to this approach, essentially when the return of failed asylum-seekers is deemed to be undesirable given the prevailing security conditions in their areas of return, or in the country in general. UNHCR has appealed to Governments to grant persons in that situation complementary protection which falls short of refugee status until such time as they are able to return to their country or area of origin. Such protection should include freedom of movement.

Canberra, 24 December 2003

For further information, please call Ellen Hansen on 0408 485 665.