

This newsletter reports that a most important, far reaching change to the immigration system has been set in place by the High Court decision on Offshore Processing. Also included are the new Occupational and Trade Skills, new program targets and the commencement of Biometric testing.

The High Court Declares Offshore Processing Invalid

The High Court of Australia has unanimously held that Australia's offshore processing regime is invalid. Effectively the Federal Government can no longer refuse to allow the courts to review decisions processed offshore.

In *61/2010E v Commonwealth of Australia* (2010) HCA 41, dated 11 November 2010, the High Court declared that two Sri Lankan citizens who arrived at Christmas Island by boat were denied procedural fairness in the review of the assessment of their refugee claims. The Court held that it was an error of law for a person conducting a review of a refugee's claim as part of the offshore processing regime not to treat provisions under the *Migration Act 1958* and the Australian courts' decisions as binding.

This is welcome news for all offshore refugee applicants in detention where they should be treated equally to other refugee applicants under the Australian Law.

Following the High Court decision, Minister for Immigration and Citizenship Chris Bowen said:

"It's important to note what the High Court has not done: the High Court has not found that the excision of certain islands in Australia is unconstitutional; the High Court has not in any way cast judgement on the mandatory detention regime in Australia. The High Court have found that refugee assessments and Independent Merits Reviews are subject to judicial appeal, judicial review in certain circumstances. They would go to procedural fairness and potentially to other legal questions."

High Court decision on offshore processing handed down on 11 November 2010:

Plaintiff M61/2010E v Commonwealth of Australia & Ors
Plaintiff M69 v Commonwealth of Australia & Ors
[2010] HCA 41

Further details of the decision may be obtained at:
<http://www.austlii.edu.au/au/cases/cth/HCA/2010/41.html>

www.abc.net.au/news/stories/2010/11/11/3063298.htm

Rejected refugees given new hearings

At least 150 failed asylum seekers will have their claims for refugee status reassessed following the High Court's landmark decision in the *M61* case to uphold a constitutional challenge to the Government's offshore processing regime.

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All of those whose claims have been rejected under the two-stage offshore regime found to be flawed by the Court will be offered new hearings before an independent assessor who has no connection with the initial reviews.

Aside from fresh hearings for those whose claims have been rejected at the second merit review stage, the government is planning to strengthen the process that will apply to hundreds of asylum seekers whose claims are yet to reach the merit review stage.

In a bid to allay mounting anxiety among asylum seekers, those whose claims are being assessed are being told they will be given procedural fairness, including the chance to respond to any negative information that might be used in assessing their case.

www.theage.com.au/national/rejected-refugees-given-new-hearings-20101119-18111.html

Biometric testing expanded

The Minister for Immigration and Citizenship, the Honourable Chris Bowen MP, has announced a significant expansion of the use of biometric testing for visa applicants, both onshore and offshore.

The biometric testing, involving a photograph and fingerprints, began on Wednesday 1 December 2010, for:

- Onshore: All Protection Visa applications
- Offshore: All paper-based applications lodged in:
 - Bahrain
 - Bangladesh
 - Kuwait
 - Oman
 - Qatar
 - Saudi Arabia
 - United Arab Emirates
 - Zimbabwe

In a recent interview announcing the changes, the Minister said that biometrics is an important tool in Australia's efforts against identity fraud and fraudulent visa applications which are on the rise. Biometric testing is currently used by the United Kingdom, United States, European Union countries and Japan.

In addition to visa applicants for protection visas onshore, all people who lodge paper-based visa applications in the above eight countries will be required to have their digital photograph taken and a 10-digit fingerprint taken. Other countries in Europe, Asia, Africa and the Middle East where biometric testing will apply will be announced by the Minister in coming months.

http://www.minister.immi.gov.au/media/speeches/2010/cb_doorstop_1007.htm

New GSM Points Test released

The Minister for Immigration and Citizenship on 11 November 2011 released the new Points Test for General Skilled Migration (GSM), which will come into effect for most applications on 1 July 2011.

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Some major changes include:

- The removal of points for work experience;
- A change to the points allocation for English language proficiency;
- An increase of the GSM age limit to 50 years of age;
- The inclusion of two additional recognised English language tests;
- The degree of relationship between sponsor and applicant now determining points awarded for sponsorship;
- Sponsors now must be Australian citizens of at least five years and residents of at least the two years immediately prior to application; and
- Regional family sponsors now must be residents of a designated area for at least two years immediately prior to application.

For any inquiries about the points test please contact [Jack Li](#) of our office.

For full details of the new points test, see the DIAC fact sheet available on: <http://www.immi.gov.au/skilled/general-skilled-migration/whats-new.htm>

New points test and trade skills

"The changes to the immigration points test are in response to the need for the immigration program to attract higher skilled migrants to Australia. However, there are issues of implementation, particularly around the skilled trades, that should be revisited," Australian Industry Group Chief Executive Heather Ridout said.

"In particular, the decision to give fewer points to the skilled trades compared with university qualifications does not adequately reflect the critical need for trade skills in our economy.

"Under the changes, university graduates receive 15 points while the skilled trades receive 10 points. This differential could mean the difference for some applicants in what is a much tighter points test. For example, it would give applicants with undergraduate degrees five more points than highly skilled electricians or diesel mechanics whose skills are in particularly high demand in the mining, manufacturing and construction industries ... Both should be given the same priority in the points test."

Statement by Heather Ridout, Chief Executive of the Australian Industry Group, released on 11 November 2010.

Migration program targets skills development

In a speech delivered to the Australian Industry Group recently, Minister for Immigration and citizenship Chris Bowen stressed the important role the migration program plays in improving Australia's skills development.

Addressing the interaction of the immigration portfolio with economics the Minister said:

"One of the things that has struck me in my time as Immigration Minister has been the extent to which the Immigration portfolio, perhaps uniquely, has

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extensive involvement in all three of the Federal Government's key policy areas: national security, social policy and economics".

"A well calibrated migration program contributes to all three Ps: productivity, participation and population. If our policy settings are right, Australia's migrants don't simply add to the labour force – they increase workplace participation rates and boost productivity. This is especially important as Australia has one of the strongest labour markets in the world emerging from the global financial crisis. It is also important in the face of an ageing population. In this context, it is essential that Australia's skilled migration program – both temporary and permanent – is responsive to current economic conditions.

"Improving Australia's skills development has been a key priority for our Government. The Productivity Places program, Trades Training Centres, the development of Skills Australia, the digital education revolution and our emphasis on early childhood learning all, in their own way, underline our commitment to the development of our skills base.

"The Gillard Government has also made record investments in apprentices and training, including:

- \$200 million in a critical skills investment fund to deliver skills in critical need; and
- \$490 million to improve the basic language, literacy and numeracy skills of working age Australians so that they can go on to access the training they need."

Changes to the General Skilled Migration points test

"Earlier this year, my predecessor, Senator Chris Evans, announced a suite of measures to ensure our skilled migration program is driven by the needs of our economy.

"I now announce the next phase of the reforms – substantial changes to our General Skilled Migration points test.

"The case for reform of our points test is strong. We need a points test which delivers workers who can fill important gaps in Australia's workforce. But we also need a points test which caters for those who show enormous potential to contribute to Australia's society and economy – who show they are able to be or become complex problem solvers.

"The changes I'm announcing today are necessary, as in recent years we have seen the GSM program skewed to just a handful of occupations. For example, under the existing points test, a Harvard qualified environmental engineer with a PhD and three years' relevant work experience would fail the points test, while an overseas student who completes a 92 week course in a 60 point occupation with one year's experience would pass. This is not a system which encourages and fosters symbolic analysts with great potential to come and contribute to our economy.

"The reforms I'm announcing mean that the General Skilled Migration Program will deliver a supply of migrants whose skills will be in demand in the medium and long term, and who possess high levels of human capital to enable them to compete in the labour market through all stages of the economic cycle."

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A transcript of the Minister's speech may be obtained – see our section on Speeches on p. 13.

New GSM Skilled Occupation Lists (SOLs)

A new Skilled Occupation List became effective on 5 December 2010.

The changes to the Skilled Occupation Lists are:

Schedule 2 SOL

1. Building and Engineering Technicians nec - 312999
- Engineers Australia has been added to Vetassess as an Assessing Authority.
2. Vetassess has been removed, and TRA is now the only Assessing Authority for the following occupations:

Motor Mechanic (General) - 321211
 Diesel Motor Mechanic – 321212
 Motorcycle Mechanic – 321213
 Electrician (General) – 341111
 Airconditioning and Refrigeration Mechanic – 342111
 Electrical Linesworker – 342211
 Technical Cable Jointer – 342212
 Carpenter and Joiner – 331211
 Carpenter – 331212
 Joiner – 331213
 Bricklayer – 331111
 Plumber (General) – 334111

Schedule 3 SOL

Vetassess has been removed, and TRA is now the only Assessing Authority for the following occupations:

Motor mechanic (general) – 321211
 Diesel Motor Mechanic – 321212
 Motorcycle Mechanic – 321213
 Small engine mechanic – 321214
 Bricklayer – 331111
 Carpenter and Joiner – 331211
 Carpenter – 331212
 Joiner – 331213
 Plumber (General) – 334111
 Electrician (General) – 341111
 Airconditioning and Refrigeration Mechanic – 342111
 Electrical Linesworker – 342211
 Technical Cable Jointer – 342212

Schedule 4 SOL

Occupations added:

Chief Executive or Managing Director – 111111 [AIM 60 points]
 Advertising and Public Relations Manager – 131111 [AIM 60 points]
 Art Administrator or Manager – 139911 [VETASSESS – 50 points]
 Conference and Event Organiser – 149311 [VETASSESS – 50 points]
 Liaison Officer – 224912 [VETASSESS – 50 points]
 Jewellery Designer – 232313 [VETASSESS – 50 points]

Web Designer – 232414 [VETASSESS – 50 points]
 Food Technologist – 234212 [VETASSESS – 50 points]
 Biotechnologist – 234514 [VETASSESS – 50 points]
 Education Reviewer – 249112 [VETASSESS – 50 points]
 Network Administrator – 263112 [ACS – 60 points]
 ICT Systems Test Engineer – 263213 [ACS 60 points]
 Fisheries Inspector – 311311 [VETASSESS – 50 points]
 Primary Products Inspector nec – 311399 [VETASSESS – 50 points]
 Fitter and Turner – 323212 [TRA – 60 points]
 Snowsport Instructor – 452314 [VETASSESS – 50 points]

Occupation removed:

Medical Technicians nec – 311299 [Engineers Australia – 40 points]

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Motor mechanic (general) – 321211
 Diesel Motor Mechanic – 321212
 Motorcycle Mechanic – 321213
 Small engine mechanic – 321214
 Bricklayer – 331111
 Carpenter and Joiner – 331211
 Carpenter – 331212
 Joiner – 331213
 Plumber (General) – 334111
 Electrician (General) – 341111
 Airconditioning and Refrigeration Mechanic – 342111
 Electrical Linesworker – 342211
 Technical Cable Jointer – 342212

New ENS Occupation List – Subclasses 121 and 856

Occupations added:

Advertising Manager – 131113 [AIM]
 Art Administrator or Manager – 139911 [VETASSESS]
 Biotechnologist – 234514 [VETASSESS]
 Chief Executive of Managing Director – 111111 [AIM]
 Conference and Event Organiser – 149311 [VETASSESS]
 Construction Estimator – 312114 [VETASSESS]
 Education Reviewer – 249112 [VETASSESS]
 Fisheries Inspector – 311311 [VETASSESS]
 Fitter and Turner – 323212 [TRA]
 Food Technologist – 234212 [VETASSESS]
 ICT Systems Test Engineer – 263213 [ACS]
 Jewellery Designer – 232313 [VETASSESS]
 Liaison Officer – 224912 [VETASSESS]
 Network Administrator – 263112 [ACS]
 Primary Products Inspector nec – 311399 [VETASSESS]
 Snowsport Instructor – 452314 [VETASSESS]
 Web Designer – 232414 [VETASSESS]

Occupation removed:

Medical Technicians nec – 311299 [Engineers Australia]

If you have any questions about the new Skilled Occupation Lists, please contact [Jack Li](#) of our office.

Processing Priorities for the Family Migration

The Department of Immigration has released a fact sheet on family stream processing that reads in part:

The Australian Government has established processing priorities for applicants who apply to migrate under the family stream.

Higher priority is given to immediate family categories such as dependent children (including children for adoption), orphan relatives, partners and fiancés.

Lower priority is given to all other family stream applicants such as carers, remaining relatives, parents and aged dependent relatives. Within the parent migration stream, the contributory parent category has higher processing priority than the parent category.

Within each family visa category, visa applicants are generally considered in order of the date of lodgement.

For more information see the DIAC website: www.immi.gov.au
Click on Media, then on Fact Sheets and see Fact Sheet 37 – November 2010.

Australia is employing overseas chefs and cooks

DIAC has recently published a fact sheet on employing overseas chefs and cooks.

Employers unable to find chefs or cooks through the Australian labour market or through their own training efforts have many options to attract overseas workers.

They may sponsor an applicant for a Temporary Business (subclass 457) visa or through the Regional Sponsored Migration Scheme.

For more information on the various options see:
<http://www.immi.gov.au/skilled/pdf/cooks-chefs.pdf>

Talents of educated migrants still going to waste

The AMP-NATSEM *Income and Wealth Report* shows Australia is one of the most multicultural nations in the world, second only to Luxembourg and tying with Switzerland.

One-quarter of our population was born overseas, almost twice the proportion of the United States and more than twice that of Britain.

But the talents of many migrants are being wasted. About 40 per cent of highly educated migrants of working-age from non-English speaking countries are stuck in low or medium-skilled jobs.

The report, *Calling Australia Home*, was commissioned by AMP from the National Centre for Social and Economic Modelling at the University of Canberra. It reveals that refugees make up a tiny percentage of our population compared with most countries in the developed world and that the numbers admitted under our humanitarian program has remained unchanged since 1988. The focus on skilled migration in the past decade has seen China supplant Italy as our third-biggest source of migrants after Britain and New Zealand, the report shows.

Craig Meller, the managing director of AMP Financial Services, himself a migrant from Britain, said the pool of Australia's skilled workers was declining: "Migration has been a key component of Australia's economic success historically and ... will be even more critical because of the increase in the retired population."

Yet the report shows difficulties with English or in having overseas qualifications recognised are barriers to many well-educated migrants getting good jobs. Labour force participation rates for migrants from non-English speaking countries are slightly less, especially for women, than for other Australians. For tertiary-educated migrants from non-English-speaking countries, unemployment is relatively high at 5.2 per cent compared with 1.5 per cent for tertiary educated Australian-born.

<http://www.smh.com.au/national/talents-of-educated-migrants-still-going-to-waste-20101116-17vzd.html>

Stronger protection visa decision-making

Protection visa decision-making will be assisted through the use of new country guidance notes, the Department of Immigration and Citizenship (DIAC) announced recently. The department has developed new country guidance notes as part of a range of measures to assist in protection decision-making. The guidance notes form part of a suite of decision-making tools used in conjunction with applicant interviews, the refugee law guidelines, credibility assessment guidelines, the protection visa procedures manual and the refugee status assessment manual, a DIAC spokesman said.

http://www.newsroom.immi.gov.au/media_releases/863

Australia and asylum seekers: The myths and the facts

Myth - Australia takes in more than its fair share of asylum seekers

Contrary to what the media and many politicians are saying, Australia is not being “swamped” by asylum seekers. From January to August this year, Australia took in below average numbers of asylum seekers compared to previous years and global intakes.

The UN High Commission for Refugees (UNHCR) has calculated that the average number of asylum seekers accepted by a country in the global context is 197 per million of population. On that basis Australia’s fair share for the first 6 months of 2009 should be 4,197 rather than the 3,666 we have taken so far. In comparison Canada, which has a population of just over 33 million compared to Australia’s 22 million, received 6 times the number of lodged applications (18,722).

In a global context, the average rate of asylum seeker intake according to population ranks Australia 20th out of 44 countries worldwide, behind countries such as the United Kingdom, Ireland, Canada and Malta (which tops the list).

According to another key factor – gross domestic product (GDP) – Australia falls to 24th place when ranked by asylum seeker intake per size of GDP.

Myth – Asylum seekers are “illegal immigrants”

Under the Refugee Convention, which Australia has signed, all people have the right to seek asylum in Australia. They may be found to be genuine refugees, and they may not – but seeking asylum is not illegal under Australian law or international law. The term “illegal immigrant”, just like the term “queue jumper”, is designed to make asylum seekers seem alien and unworthy of sympathy.

www.getup.org.au

AHRC report on Christmas Island

The Australian Human Rights Commission recently released its latest report concerning Immigration detention on Christmas Island. Among other things, the Commission finds that children currently there are subject to mandatory, arbitrary and unnecessary detention in poor conditions.

Some of the issues raised include:

- A program to send young children to kindergarten 3 days a week has been discontinued
- The education program for 16-17 years olds (who are not allowed to attend local schools) has a waiting list of 114 kids. The program has been expanded to give a 3-hour class each weekday to a total of 72 students, meaning most will still miss out.
- There are no open grassy areas in the camp for children to play on. A nearby playground is only accessible on some afternoons when guards take children there.
- There is a lack of toys, games or other materials for children's independent play inside the Construction Camp.
- Some parents raised concerns about access to food appropriate for children aged between one and five years.

<http://content.eneewsletteronline.com/21240/42825.html>

\$5m training plan to urge a return home

Asylum seekers will be offered sweeteners to return to the countries they fled under a \$5 million reintegration program announced by the government recently.

The Immigration Minister, Chris Bowen, would not say how much each asylum seeker would be offered in cash, saying most of the money would fund job training and small business start-ups once they were home. People might receive money to set up a taxi or motorbike service or a corner shop.

"Reintegration assistance will be tailored to individual circumstances and will primarily consist of in-kind support such as vocational training, small business start-up and job placement support," Mr Bowen said.

Targeted reintegration packages helped to minimise the risk of returned asylum seekers leaving again, he said. Asylum seekers often lose contact with support networks in their home countries after spending years looking for a safe place to live.

Mr Bowen said the "modest" incentive package would be offered to those who had arrived by boat and chose to return and would be distributed by the International Organisation for Migration, which would remain in contact for a fixed period.

<http://www.smh.com.au/national/5m-training-plan-to-urge-a-return-home-20101109-17m2p.html>

WA compliance operation nets 27 illegal workers

An immigration operation in the WA town of Gingin has resulted in the location of 27 illegal workers in the agriculture industry.

The workers were detained in a roadside traffic stop just outside the town in a joint operation involving the Department of Immigration and Citizenship, the WA Police and Fair Work Australia.

Officers found 11 unlawful non-citizens who had overstayed their visas and 16 people working in breach of their visa conditions. The 27 people are now in detention in Perth, pending their removal from Australia at the earliest opportunity. Investigations into the circumstances of their employment are continuing.

A departmental spokesman said the operation served as a warning to individuals and employers that illegal work and breaches of immigration law will not be tolerated.

http://www.newsroom.immi.gov.au/media_releases/866

'You're not gay': visa refused

A Lebanese man who says he is gay and became engaged to an Australian woman to please his abusive father has been denied a protection visa because he was not believed to be homosexual.

The 25-year-old, who cannot be named for legal reasons, sought the visa in April last year, saying he suffered persecution in Lebanon for being gay and experienced constant pressure from his father to marry because he was not "acting like a man". The man purported to have had two secret homosexual relationships before coming to Australia for the first time in 2007.

But during his first visit to Australia, the man became engaged to a woman. He applied for a prospective spouse visa, providing the Department of Immigration with photographs of an engagement party and saying he planned to marry and have children.

The man told the Refugee Review Tribunal his actions showed "the struggles which a homosexual Muslim man faced when reaching marital age and in trying to avoid the stigma associated with being gay".

But the tribunal did not believe he was homosexual or that he had been persecuted, finding his purported levels of fear would have resulted in a more prompt application for protection. Its decision has been upheld by the Federal Magistrates Court in Sydney – see *SZOMZ v Minister for Immigration* (2010) FMCA 871 (12 November 2010).

There have been three other similar Federal Magistrates Court decisions involving Lebanese protection applicants in 2010. For further information on claiming protection on the ground of sexual orientation persecution, contact [David Bittel](#) of our office.

<http://www.smh.com.au/national/youre-not-gay-visa-refused-20101108-17kj1.html>

PM sells regional processing centre in Malaysia

Prime Minister Julia Gillard has been selling her proposed regional processing centre for asylum seekers in meetings in Kuala Lumpur recently. She won muted support from Malaysia, but no endorsement of the policy.

The Malaysian government says it wants to be involved in developing the proposed policy but needs more information before it can say whether it would support such a plan.

Julia Gillard was greeted by the Deputy Prime Minister, Muhyiddin Yassin. He's also Malaysia's Education Minister, and he and Ms Gillard spent a significant portion of their meeting discussing ways they could cooperate on education matters in the future. Yassin said Malaysia's education systems are very much lacking in terms of vocational training and this way he believed Malaysia could work together with Australia.

The Prime Minister said Malaysia has been a key contributor in the region to the disruption of people smuggling activities.

She added, "This is one example of cooperation across a broad range of areas; economic, defence, development, strategic and political questions. I believe Australia and Malaysia have a good relationship ... I chose to make my first stand-alone bilateral visit here because I want to see us take this relationship to the limit of its full potential and I believe today's talks have contributed to that."

<http://www.abc.net.au/pm/content/2010/s3054216.htm>

State sponsorship plans

The Minister for Immigration and Citizenship is gradually approving the State sponsorship schemes. So far schemes have been introduced for the ACT, Victoria, Tasmania, the Northern Territory,

Western Australia and Queensland. New South Wales and South Australia have still to be announced.

In our next newsletter we will give a summary of the main features of all these schemes.

Extradition Treaty with India

Extradition (India) Regulations 2010 (SLI No 196 of 2010)

These Regulations give effect to the Extradition Treaty between Australia and the Republic of India, done at Canberra on 23 June 2008, which modifies the bilateral extradition relationship between the two countries.

http://www.austlii.edu.au/au/legis/cth/num_reg/er2010n196o2010373/

Mutual Assistance in Criminal Matters (India) Regulations 2010 (SLI No 197 of 2010) – Schedule 1

Treaty between Australia and the Republic of India on Mutual Legal Assistance in Criminal Matters, done at Canberra in Australia on 23 June 2008

http://www.austlii.edu.au/au/legis/cth/num_reg/maicmr2010n197o2010608/sch1.html

Human Rights

Reforms to the NSW Prison System

“Today is an important day for those of us who support prison reform”, said David Bitel, President of the Community Justice Coalition (CJC), a coalition of community organizations and many individuals, formed in early 2009 to advocate for specific reforms to the NSW prison system.

“CJC strives for an educative and restorative as well as punitive prison system and aims to ensure better results for financial investment, community safety and fairness in a public prison system”, continued Mr Bitel.

“The public is getting sick and tired of the usual law and order auction. It is about time political parties started to seriously address the issues relating to the prison system”, said Vice President of CJC and President of the International Commission of Jurists Australia, the Hon John Dowd AO QC.

CJC has developed a questionnaire and submission which is being sent to all the political parties, Members of the Parliament and Candidates for the forthcoming March 2011 NSW State Election concerning many issues relating to prison reform. Issues covered include the need for rehabilitation, high recidivism rates, inadequate pre release programs, issues affecting indigenous members of the community, women and juveniles, issues relating to mental health, the Bail Act, education and training within the prison system, prison Governance and value for money.

“CJC is very concerned that the current processes and programs are inefficient, and are financially and socially expensive, ” said Mr Bitel

CJC and the International Commission of Jurists Australia jointly held a seminar entitled “Education in Prison” at Parliament House Sydney on Thursday, November 25.

For more information on CJC activities, visit their website at:

<http://www.communityjusticecoalition.org/>

National Statement on Human Rights

“Australia is a dedicated and constructive multilateralist, as committed to human rights today as we were 65 years ago when we worked with other founding nations to bring about the UN Charter.”

These were the opening words of a speech delivered by Mr Andrew Goledzinowski, Ambassador and Deputy Permanent Representative of Australia to the United Nations Third Committee, in October.

“As Prime Minister Julia Gillard, Australia's first female head of government has said, 'a culture of human rights is critical to a democratic society and to the protection of the rights of all, ensuring that everyone, no matter their background or beliefs, enjoys a fair go.'

“Australia remains committed to protecting human rights in situations of armed conflict. We are the 12th highest contributor to the UN peacekeeping budget. Australia is playing a leading role in developing guidelines on protection of civilians in peace operations.

“The Australian Government puts the Millennium Development Goals at the heart of our aid program. As the UN Secretary-General has reminded us in his report "Keeping the Promise", the MDGs are an expression of fundamental freedoms and basic human rights.

“Australia is proud to view itself as an MDG 2 Global Champion on education. Education is the best way to overcome poverty, to develop, to prosper, to advance. Between now and 2015 Australia expects to allocate \$5 billion to education globally. That will also have a significant impact on improving the lives of women and girls.

“Australia recognises that a nation universally committed to human rights is a stronger, safer and more resilient nation. We seek to learn from the experiences of other nations. We recognise that we can do better - no country has an infallible human rights record and we will continue to work with other States with this premise as our starting point.

“In this endeavour, Australia remains a dedicated and constructive multilateralist, taking our responsibility to meet our international human rights obligations seriously.

http://www.australiaun.org/unny/101027_humanrights101027_humanrights.html

Foreign Affairs

AUSMIN 2010 Joint Communique

Minister for Foreign Affairs Kevin Rudd, Minister for Defence Stephen Smith, Secretary of State Hillary Rodham Clinton and Secretary of Defence Robert Gates met in Melbourne on 8 November 2010 for the annual Australia-US Ministerial Consultations (AUSMIN).

The talks marked the 25th anniversary of AUSMIN and the 70th anniversary of the establishment of diplomatic relations between the two countries. The 2010 AUSMIN confirmed the enduring value of the Australia-US Alliance and its adaptability in meeting contemporary and evolving strategic challenges.

Australia and the United States reaffirmed that strengthened architecture in the Asia-Pacific region is fundamental to security and economic prosperity. Both countries welcomed the expansion of the East Asia Summit (EAS), to include the participation of the United States from 2011. The United States welcomed Australia's leading role as an advocate for strengthened regional institutions, and for a more significant role for the EAS.

Australia and the United States are committed to working together to help shape international norms to advance vital shared interests in the domains of sea, airspace and outer space as well as to advance important matters related to cybersecurity.

You can read the full report at:

<http://www.foreignminister.gov.au/releases/2010/AUSMIN-Joint-Communique.pdf>

Indian Prime Minister to pay rare visit

A visit by the Indian Prime Minister, Manmohan Singh, next year is expected to provide a symbolic boost for Indo-Australian ties strained by assaults on Indian students and by Labor's ban on uranium sales to India.

Dr Singh is known to keep overseas travel to a minimum, but a spokesman for the Prime Minister, Julia Gillard, confirmed that the 78-year-old Indian leader had agreed to an "official bilateral visit" after being invited by Ms Gillard at the East Asia Summit. It will be the first visit by an Indian prime minister since Bob Hawke hosted Rajiv Gandhi in 1986.

Australian officials have been trying for several years to arrange for Dr Singh to visit. The government says it wants to put India at the "front rank" of its international relationships. Trade and investment between the two has grown rapidly and India is now Australia's fourth-biggest export market.

Ms Gillard extended the invitation to Dr Singh when they met briefly in Hanoi recently. She also told Dr Singh about steps to assure a safe environment for overseas students in Australia, including reforms to immigration rules, sources said.

Ms Gillard told Dr Singh that there was widespread "revulsion" in Australia over attacks on Indian students.

However, the attacks have coincided with growing interest in Australia within India. The Hindustan Times recently asked its readers which countries were of greatest interest to them in foreign coverage and Australia ranked fourth behind the US, Pakistan and China.

<http://www.smh.com.au/national/indian-prime-minister-to-pay-rare-visit-20101103-17e1d.html>

Speeches

Address to the Australian Industry Group Luncheon, Sydney

Speech delivered to the Australian Industry Group (AIG) on 11 November 2010 by the Hon Chris Bowen MP, Minister for Immigration and Citizenship.

For a full transcript of the speech see:

www.minister.immi.gov.au/media/speeches/2010/

National Statement on Human Rights

Speech delivered by Mr Andrew Golezinowski, Ambassador and Deputy Permanent Representative of Australia to the United Nations Third Committee, on 27 October 2010.

For a full transcript of the speech see:

http://www.australiaun.org/unny/101027_humanrights101027_humanrights.html

Resources

Employing Overseas Chefs and Cooks

Brochure published by DIAC on the visa options for people wanting to work as a chef or a cook in Australia.

You can download a copy at:

www.immi.gov.au/skilled/pdf/cooks-chefs.pdf

A.P.B. Education Specialist IELTS Test Training and Coaching

Passing an IELTS test is now an essential requirement for all applicants for General Skills Migration, student visas, and for many employer sponsored applicants. Adrian Bitel provides individual lessons to assist applicants achieve proficiency to the required levels in:

- Reading
- Writing
- Speaking
- Listening

He gives comprehensive ONE to ONE Personalised Coaching in any or all of the above areas.

Contact: Adrian Bitel on (02) 9286 8700 or Mobile: 0412 656 026

Parish Patience Immigration

Lawyers
Level 1, State Street Centre
338 Pitt Street
Sydney NSW 2000
Australia

Tel: +61 2 9286 8700

Fax: +61 2 9283 3323

Email: ppmail@ppilaw.com.au

Web: www.ppilaw.com.au

