



ICA
PAPUA NEW GUINEA
PROTECTING BORDERS & PROMOTING PROSPERITY

IMMIGRATION & CITIZENSHIP AUTHORITY

MEDIA RELEASE

Immigration Detains Unlawful Non-Citizens

[PORT MORESBY, 31 JULY 2019] The Papua New Guinea Immigration and Citizenship Authority (ICA) confirmed that it has taken three unlawful non-citizens who were failed asylum seekers into immigration detention.

Following the successful operation to locate and detain the three non-citizens, PNG Chief Migration Officer, Mr Solomon Kantha said “all non-citizens in PNG are subject to the requirements of PNG law – this includes the Migration Act. The Migration Act is clear, non-citizens who do not have a visa are unlawful and are available for detention and removal. ICA uses the powers afforded to it under PNG law judiciously and initiates detention as a last resort, and only when all other efforts to encourage voluntary compliance have failed.

Mr Kantha said he wished to correct some of the public commentary on this issue by saying “It is evident that many of the facts surrounding immigration detention have been misrepresented by those with agendas that are neither impartial nor minded to PNG's sovereignty. It is correct that the three individuals detained by ICA are failed asylum seekers. It is also correct that this has occurred when all other efforts to encourage compliance have failed. What is not correct, is the perception that their detention is a result of their asylum claims. Non-refugees are unlawful in the exact same way a person who overstays their visa or someone that crosses our borders illegally is unlawful – they have no visa and no right to remain in our country. It is a matter of public record that ICA encourages voluntary departure of all persons without a right to remain in PNG and for failed asylum seekers, we provide considerable financial assistance to support their return.”

Referencing the three individuals recently detained by ICA, Mr Kantha said “as their protection claims have been fully assessed and it has been established that they are not owed protection, they are unlawful non-citizens. However, rather than being detained in the first instance and as our law allows, these men were accommodated in quality hotels here in Port Moresby. Under these special accommodation arrangements, they were not only free to go shopping and sightseeing, but were provided with all their meals, health care and even luxury items like cigarettes and confectionery”.

Mr Kantha went on to say “all persons accommodated through these privileged arrangements are asked to comply with reasonable site rules and all persons are aware that non-compliance may result in a cessation of their arrangements. Despite this, the three individuals in question have abused such generous arrangements, and have shown no regard for their fellow residents, or the ICA staff supporting them. Their anti-social and non-compliant behaviour has further impacted other guests staying at the same hotels, including other non-refugees who are abiding by the site rules. As a result, ICA has exercised its lawful right to detain these persons pending their departure from PNG”.

Mr Kantha concluded by saying “these men have not been arrested; they have been lawfully detained under PNG's Migration Act. Immigration detention is a globally standard immigration process, that allows States to manage their sovereignty and the movement of non-citizens within their borders. ICA takes its responsibilities in this area very seriously and any person within our custody will continue to receive all appropriate care and support. They will also continue to receive the opportunity to access financial assistance when they return to their country of origin and ICA will notify the responsible Embassy that their citizens are being held in immigration detention in PNG. PNG is a welcoming country, but we expect those who are visitors within our country to abide by our laws – including to depart when they have no right to remain”.