

QUESTION TAKEN ON NOTICE

BUDGET ESTIMATES HEARING: 21 May 2007

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(62) Output 1.2: Refugee and Humanitarian Entry and Stay

Senator Nettle (L&CA 77) asked:

Provide more detail of the Mutual Assistance Arrangement with the USA.

Answer:

Both Australia and the US wish to discourage irregular movement and people smuggling.

The Mutual Assistance Arrangement between Australia and the United States provides opportunities for third country resettlement of people in need of international protection.

This is an informal arrangement between Australia and the United States that was finalised in an exchange of letters. It is not a formal agreement and does not create legal obligations.

Referring such refugees to other resettlement countries affords them the opportunity of a durable solution.

This arrangement allows for Australia and the US to consider resettling up to 200 individuals in a calendar year referred by the other country under the arrangement.

Australia can refer to the US people in need of protection who have arrived unlawfully at excised offshore places and those who have been taken to Nauru for further processing. The current potential caseload in Nauru comprises Sri Lankans and Burmese Rohingyas.

The US can refer to Australia for resettlement people in need of protection intercepted at sea and currently accommodated in Guantanamo Bay. The current potential caseload for referral by the US includes Cuban nationals.

The Mutual Assistance Arrangement is not an 'exchange' or 'swap' of individuals. It is consistent with both countries' practice of routinely resettling persons in need of protection when third country resettlement is the appropriate durable solution. No person who is referred would be forced to accept resettlement.