

PRIME MINISTER OF AUSTRALIA

PRIME MINISTER OF MALAYSIA

JOINT STATEMENT

The Malaysian and Australian Governments have today announced a commitment to enter into a groundbreaking new arrangement to help tackle people smuggling and irregular migration in the Asia-Pacific region.

The Malaysian Prime Minister, Hon. Dato' Sri Najib Tun Razak, and the Australian Prime Minister, The Hon Julia Gillard MP, have agreed to enter into a new bilateral arrangement as part of the Regional Cooperation Framework agreed to at the recent Bali Process Ministerial Conference in Bali on 30 March 2011.

The complex nature of irregular migration, which is closely linked to the crimes of human trafficking and people smuggling, cannot be solved by acting alone but must be tackled by countries forming cooperative arrangements under the auspices of regional and international frameworks.

The bilateral arrangement will take the form of a cooperative transfer agreement that will see asylum seekers arriving by sea in Australia transferred to Malaysia. In exchange, Australia will expand its humanitarian program and take on a greater burden-sharing responsibility for resettling refugees currently residing in Malaysia.

Prime Ministers Najib and Gillard have agreed that core elements of this bilateral arrangement will include:

- 800 irregular maritime arrivals, who arrive in Australia after the date of effect of the arrangement, will be transferred to Malaysia for refugee status determination;
- in return, over four years, Australia will resettle 4000 refugees already currently residing in Malaysia;
- transferees will not receive any preferential treatment over asylum seekers already in Malaysia;
- transferees will be provided with the opportunity to have their asylum claims considered and those in need of international protection will not be refouled;
- transferees will be treated with dignity and respect and in accordance with human rights standards; and
- Australia will fully fund the arrangement.

The implementation of this one off pilot project will be important to undermine the business model of transnational criminal syndicates, particularly in people smuggling and human trafficking in this region.

Australia and Malaysia are working closely with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM) to operationalise the arrangement.

Senate Legal and Constitutional Affairs Committee
Budget Estimates 2011-12, 23-26 May 2011

Created on: 20 May 2011
Revised on:

Tabled Document 5

By: Mr Andrew Metcalfe

DIAC 23/5/2011

Date: 23/5/2011

The Malaysian and Australian Governments have asked senior officials to finalise a Memorandum of Understanding in the near future to set out detailed arrangements.

CANBERRA
7 MAY 2011

PRESS OFFICE (02) 6277 7744