

F-92**FOREIGN AFFAIRS AND TRADE****Indonesia - People Smuggling: SOLAS incident 110nm of Christmas Island****Possible Question**

What is the Government doing to ensure there are no further such SOLAS incidents?

Talking Points

- This was a tragic incident which highlights the perils for asylum seekers who entrust their lives to people smugglers and undertake the dangerous sea voyage to Australia.
- Exhaustive Australian search and rescue efforts saved the lives of 110 people
- but sadly the bodies of 17 have been recovered and perhaps 73 people remain unaccounted for.
- The Australian Maritime Safety Authority suspended the search for survivors on 23 June, based on medical advice regarding the prospect of survivability and after search and rescue efforts found no further survivors in the search area.
- The West Australia Coroner, with the support of the Australian Federal Police, will conduct the coronial investigation into this tragedy and the Disaster Victim Identification process
- the AFP is conducting investigations into any people smuggling offences connected to this incident.

Cooperation with Indonesia

- AMSA's Rescue Coordination Centre has a long standing and cooperative relationship with BASARNAS, Indonesia's National Search and Rescue Authority, in whose area the vessel sank
- in relation to this incident, AMSA provided BASARNAS with initial advice of a possible distress situation in Indonesian waters to which BASARNAS

responded by issuing broadcast messages to shipping vessels in proximity and preparing to deploy resources from Indonesia

- when it became known that the vessel had capsized, given Australia's proactive assistance and existing resources, BASARNAS requested that AMSA take operational command.
- Australia continues to work closely with partners in the region, including Indonesia, to disrupt people smuggling activities, build the capacity of countries to respond, and to warn asylum seekers of the dangers of engaging people smugglers to bring them to Australia by boat.
- The Government's Malaysia arrangement would provide a disincentive for asylum seekers to make the dangerous journey by boat, knowing they would not be processed or resettled in Australia
- without such a disincentive, asylum seekers will continue to put their lives at risk at the hands of people smugglers.

Background

On 21 June 2012, Customs and Border Protection located a capsized vessel 109 nautical miles south of the Sunda Strait (Indonesia's Search and Rescue Zone). AMSA, at the request of BASARNAS, coordinated an exhaustive search and rescue response involving Australian navy and merchant vessels. 110 people were rescued and 17 bodies recovered. Initial reports are that all were male and were predominantly Pakistani and Afghani. Indications are that the boat may have been carrying 200 people. All rescue and recovery operations ceased on the evening of 23 June.

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F-92**FOREIGN AFFAIRS AND TRADE****Indonesia - People Smuggling: SOLAS incident and Malaysia arrangement****Possible Question**

What is the Government doing to ensure there are no further such SOLAS incidents?

Talking Points

- This was a tragic incident which highlights the perils for asylum seekers who entrust their lives to people smugglers and undertake the dangerous sea voyage to Australia
- *it also underscores the need to continue work to find a solution.*
- This Government is working closely with partners in the region, including Indonesia, to disrupt people smuggling activities, build the capacity of countries to respond, and to warn asylum seekers of the dangers of engaging people smugglers to bring them to Australia by boat.
- *It's the Government's view that offshore processing offers the most effective deterrent.*
- The Government's Malaysia arrangement would provide a *strong* disincentive for boat arrivals because they would know that they would not be processed or resettled in Australia
- without such a disincentive, asylum seekers will continue to put their lives at risk at the hands of people smugglers.
- *The Malaysia arrangement has been signed by Australia and Malaysia and transfers can take place quickly*
- *this provides the most timely means of deterring people smugglers.*

- *The Malaysia arrangement will allow for transferred asylum seekers to live and work in the community while their claims for protection are assessed by UNHCR*
- *asylum seekers transferred to Malaysia will not be detained under the arrangement.*
- *Importantly, the Malaysia arrangement contains provisions ensuring that the principle of non-refoulement will be respected and that asylum seekers transferred to Malaysia will have access to health care and employment, and will be treated humanely and in accordance with human rights standards.*

Background

On 21 June 2012, Customs and Border Protection located a capsized vessel 109 nautical miles south of the Sunda Strait (Indonesia's Search and Rescue Zone). AMSA, at the request of BASARNAS, coordinated an exhaustive search and rescue response involving Australian navy and merchant vessels. 110 people were rescued and 17 bodies recovered. Initial reports are that all were male and were predominantly Pakistani and Afghani. Indications are that the boat may have been carrying 200 people. *All rescue and recovery operations ceased on the evening of 23 June. The West Australia Coroner, with the support of the Australian Federal Police, will conduct the coronial investigation into this tragedy and the Disaster Victim Identification process. The AFP is conducting investigations into any people smuggling offences connected to this incident.*

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F-92**FOREIGN AFFAIRS AND TRADE****Indonesia - People Smuggling: SOLAS incident and Malaysia arrangement****Possible Question**

What is the Government doing to ensure there are no further such SOLAS incidents?

Talking Points

- This was a tragic incident which highlights the perils for asylum seekers who entrust their lives to people smugglers and undertake the dangerous sea voyage to Australia
- it also underscores the need to continue work to find a solution.
- This Government is working closely with partners in the region, including Indonesia, to disrupt people smuggling activities, build the capacity of countries to respond, and to warn asylum seekers of the dangers of engaging people smugglers to bring them to Australia by boat.
- It's the Government's view that offshore processing offers the most effective deterrent.
- The Government's Malaysia arrangement would provide a strong disincentive for boat arrivals because they would know that they would not be processed or resettled in Australia
- without such a disincentive, asylum seekers will continue to put their lives at risk at the hands of people smugglers.
- *Those transferred to Malaysia under the arrangement will be "treated with dignity and respect in accordance with human rights standards"*
- *the details of Australia's and Malaysia's commitments are clearly outlined in the Arrangement and its associated Operational Guidelines, both of which have been made available to the public to ensure transparency.*

- The Malaysia arrangement has been signed by Australia and Malaysia and transfers can take place quickly
- this provides the most timely means of deterring people smugglers.
- The Malaysia arrangement will allow for transferred asylum seekers to live and work in the community while their claims for protection are assessed by UNHCR
- asylum seekers transferred to Malaysia will not be detained under the arrangement *or refouled to their home countries.*

Background

On 21 June 2012, Customs and Border Protection located a capsized vessel 109 nautical miles south of the Sunda Strait (Indonesia's Search and Rescue Zone). AMSA, at the request of BASARNAS, coordinated an exhaustive search and rescue response involving Australian navy and merchant vessels. 110 people were rescued and 17 bodies recovered. Initial reports are that all were male and were predominantly Pakistani and Afghani. Indications are that the boat may have been carrying 200 people. All rescue and recovery operations ceased on the evening of 23 June. The West Australia Coroner, with the support of the Australian Federal Police, will conduct the coronial investigation into this tragedy and the Disaster Victim Identification process. The AFP is conducting investigations into any people smuggling offences connected to this incident.

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F-92**FOREIGN AFFAIRS AND TRADE****Indonesia - People Smuggling: SOLAS incident and Malaysia arrangement****Possible Question**

What is the Government doing to ensure there are no further such SOLAS incidents?

Talking Points

- *The two tragic incidents this week highlight the perils for asylum seekers who entrust their lives to people smugglers and undertake the dangerous sea voyage to Australia*
- *they also underscore the importance of passing legislation which allows for offshore processing.*
- This Government is working closely with partners in the region, including Indonesia, to disrupt people smuggling activities, build the capacity of countries to respond, and to warn asylum seekers of the dangers of engaging people smugglers to bring them to Australia by boat.
- It's the Government's view that offshore processing offers the most effective deterrent.
- The Government's Malaysia arrangement would provide a strong disincentive for boat arrivals because they would know that they would not be processed or resettled in Australia
- without such a disincentive, asylum seekers will continue to put their lives at risk at the hands of people smugglers.
- Those transferred to Malaysia under the arrangement will be "treated with dignity and respect in accordance with human rights standards"

- the details of Australia's and Malaysia's commitments are clearly outlined in the Arrangement and its associated Operational Guidelines, both of which have been made available to the public to ensure transparency.
- The Malaysia arrangement has been signed by Australia and Malaysia and transfers can take place quickly
- this provides the most timely means of deterring people smugglers.
- The Malaysia arrangement will allow for transferred asylum seekers to live and work in the community while their claims for protection are assessed by UNHCR
- asylum seekers transferred to Malaysia will not be detained under the arrangement or refouled to their home countries.

Background

On 21 June 2012, Customs and Border Protection located a capsized vessel 109 nautical miles south of the Sunda Strait (Indonesia's Search and Rescue Zone). AMSA, at the request of BASARNAS, coordinated an exhaustive search and rescue response involving Australian navy and merchant vessels. 110 people were rescued and 17 bodies recovered. Initial reports are that all were male and were predominantly Pakistani and Afghani. Indications are that the boat may have been carrying 200 people. All rescue and recovery operations ceased on the evening of 23 June. The West Australia Coroner, with the support of the Australian Federal Police, will conduct the coronial investigation into this tragedy and the Disaster Victim Identification process. The AFP is conducting investigations into any people smuggling offences connected to this incident.

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