



**Senator Chris Evans**  
Leader of the Government in the Senate  
Minister for Immigration and Citizenship

Mr Paul Power  
Chief Executive Officer  
Refugee Council of Australia  
Suite 4A6  
410 Elizabeth Street  
SURRY HILLS NSW 2010

Dear Mr Power *Paul,*

Thank you for your letter of 5 August 2010 attaching a joint statement by 21 Australian non-government organisations (NGOs) in relation to the development of a regional protection framework. I understand that you have written in similar terms to all Labor candidates in this election – this response is on behalf of all candidates.

The Gillard Labor Government welcomes the joint statement and appreciates the Refugee Council of Australia's (RCOA) role in coordinating it. The NGO sector's support for an effective and sustainable regional protection framework, and its recognition that such a framework is the single most critical element of any response to the protection challenges in our region, is an important contribution to the current public debate.

The recognition in the joint statement that there is no quick fix to the challenge of irregular migration, and that it is a challenge that no country can resolve unilaterally, reflects the Government's views, as recently expressed by the Prime Minister in her Lowy Institute speech of 6 July 2010. It has also reaffirmed my view that the NGO sector has much to offer in the context of the Government's commitment to developing a regional protection framework.

As the Prime Minister has made clear since first announcing this proposal, Federal Labor believes that a regional protection framework, including a regional processing centre, is the key to addressing the complex international challenges posed by irregular migration.

We recognise, as does the NGO sector, that an effective regional protection framework will involve the development of a comprehensive approach to the management of irregular migration through cooperation with source, transit and destination countries as well as relevant international organisations such as the United Nations High Commission for Refugees (UNHCR). In progressing discussions on a regional protection framework we will build on work already underway through the Bali Process, and on the considerable efforts we have devoted to regional cooperation in recent years.

I acknowledge the NGO sector's long interest in promoting adherence to Australia's international obligations, and can assure you that the Government remains strongly committed to meeting all such obligations, including those under the Refugee Convention. That is why we have made it clear that the regional processing centre should be located in a country that is, like Australia, a party to the Refugee Convention. We are convinced that, as part of a regional protection framework, a regional processing centre can deliver protection to those who need it, and at the same time remove both the profitability of the people smuggling trade and the danger of maritime voyages to Australia.

In discussing this initiative with the United Nations High Commissioner for Refugees, Antonio Guterres, the Prime Minister made clear that a Gillard Labor Government is not interested in pursuing a new Pacific Solution. Regrettably, the Opposition has made it clear that they will return to the policies of the past – not just embracing a return to a unilateral offshore processing centre on Nauru, which is not a signatory to the Refugee Convention, but also re-introducing John Howard's Temporary Protection Visas and the 45 day rule.

While the Government has condemned it as dangerous and impracticable, the Opposition's stated intention is to turn around boats at sea. To avoid being turned back, boats are sabotaged, putting Australia's customs and border protection and defence personnel, and asylum seekers, at risk. This is a stark reminder of what is at stake in this election.

I am sure that you will agree that a return to these failed policies would be a damaging and retrograde step that would reverse much of the progress made in recent years in the area of refugee and asylum seeker policy.

I note that there is growing support from respected organisations and individuals for a regional protection framework. The NGO joint statement is an important contribution to discussions in the region on the development of such a framework. The Government looks forward to further dialogue with the RCOA and the NGO sector as the Government progresses this initiative.

The Government is determined to develop a truly regional solution in cooperation with our regional partners – with source, transit and destination countries – as well as with other resettlement countries and relevant international organisations.

Thank you again for your organisation's role in promoting constructive dialogue on this important issue.

Yours sincerely



CHRIS EVANS

11/8/10