

Written evidence submitted by the Australian Government (CHA0060)

1. What were the main reasons for Australia's introduction of the Sovereign Borders policy?

- a. What has been the impact of the policy on the safety of people at sea?**
- b. Specifically, what do you believe has been the impact of the policy on a reduction in the loss of life among migrants attempting to reach Australia by sea?**

Operation Sovereign Borders was introduced by the Australian Government in September 2013 to effect the operational response to unprecedented unauthorised maritime arrivals to Australia between 2008 and 2013. Operation Sovereign Borders is a multilayered construct supporting the legislative and policy setting that no one who arrives illegally by boat will settle in Australia. Operation Sovereign Borders implements a border protection posture of disruption, deterrence, detection, interception, regional processing and resettlement.

Operation Sovereign Borders is centrally coordinated by a Joint Agency Task Force, bringing together 16 agencies. Our policies demonstrate Australia's borders are closed to irregular maritime migration and that people smugglers cannot sell a path to Australia.

Between 2008 and 2013, more than 50,000 people travelled illegally to Australia on more than 820 individual maritime people smuggling ventures. During this period, more than 1200 people drowned in the attempt to reach Australia on small and often unseaworthy vessels that were unsuited to long voyages across the open ocean.

- Following the establishment of Operation Sovereign Borders on 18 September 2013, it has been more than six years since the last successful maritime people smuggling venture to Australia, and more than six and a half years since the last known death at sea from maritime people smuggling ventures en-route to Australia.

2. The legality of turning boats back at sea was challenged in the Australian courts. Can you tell us the outcome of that challenge and what impact, if any, it had on the policy?

The legality of boat turn backs has not been challenged in the Australian courts.

3. The Sovereign Borders policy and its execution have been criticised by organisations including the United Nations for possibly contravening International law and conventions, and in 2016 the UN Special Rapporteur on human rights for migrants observed that Australia had "increasingly eroded the human rights of migrants, in contravention of Australia's international human rights and humanitarian obligations." Has the Australian Government made any changes to its policy in response to concerns raised? If so, please indicate what changes have been made and the reasons for those changes; if not, please explain why not?

Australia maintains its policies are in line with its international obligations.

4. Two lives have been reported as being lost during operations to tow boats away from Australian waters. Are you able to confirm those reports? What steps have been taken to avoid further loss of life?

No lives have been lost during return operations under Operation Sovereign Borders. People trying to reach Australia illegally will be returned where it is safe to do so. The safety of people on board suspected illegal entry vessels is of paramount consideration.

5. Why did the Australian Government establish offshore processing camps in Nauru and Manus Island, Papua New Guinea?

- a. For what reasons did the Government subsequently decide to withdraw its personnel from these camps?**

Regional processing is a key element of Operation Sovereign Borders, providing unauthorised maritime arrivals with the opportunity to have their protection claims assessed by a regional processing country. The Australian Government remains committed to regional processing and continues to support the Governments of Nauru and Papua New Guinea to implement regional processing arrangements under

existing memoranda of understanding. Regional processing is active in both regional processing countries, with arrangements remaining in place to accept new arrivals if required.

6. We understand the Australian Government is continuing to pay PNG and Nauru to look after the people who were held in those territories under the Sovereign Borders initiatives. How much is this costing, and how much is Australia budgeting for these payments over the next five years?

Regional processing costs are reported in Program 1.4 Illegal Maritime Arrivals Offshore Management of the Home Affairs Portfolio Budget Statement (total costs include administered and departmental expenses). The Australian Government is establishing an enduring regional processing capability in Nauru, which is reflected in the budget from 2021-22 over forward estimates.

<https://www.homeaffairs.gov.au/reports-and-publications/reports/budgets>

2014-15 Actual Expenses \$'000	2015-16 Actual Expenses \$'000	2016-17 Actual Expenses \$'000	2017-18 Actual Expenses \$'000	2018-19 Actual Expenses \$'000	2019-20 Estimated Expenses \$'000	2020-21 Budget \$'000	2021-22 Forward Estimate \$'000	2022-23 Forward Estimate \$'000	2023-24 Forward Estimate \$'000
1,032,926	1,128,573	1,083,957	1,492,174	1,061,290	961,680	1,186,445	307,530	302,248	296,107

7. In September 2016 UNICEF and Save the Children calculated that the cost of keeping each asylum-seeker in the camps is about £225,000 (\$AUS400,000) per person per year. Is this correct?

- a. Can you provide a rough breakdown of these costs?
- b. What has been the total cost to Australia of managing unauthorised immigration by sea since 2000?

Please refer to the answer to Question Six.

8. There have been some suggestions that the UK Government may be considering introducing policies to turn back boats, or to process migrants offshore. What key lessons would you suggest the UK Government might learn from the Australian Government's experience since 2000?

Australia's response to people smuggling and irregular maritime migration is multi-layered, delivered through the Joint Agency Task Force by various agencies. This coordinated and layered approach has allowed Australia to respond in an agile way to address the ongoing challenges posed by people smuggling and irregular maritime migration.