



ACTING PRIME MINISTER

The Hon Tony Abbott MP
Leader of the Opposition
Parliament House
CANBERRA ACT 2600

22 DEC 2011

Dear Mr Abbott

Thank you for your response to the Government's further correspondence of 19 December 2011.

As you know, the Government has attempted three times to secure your agreement for discussions between Mr Bowen and Mr Morrison to examine opportunities to identify a mutually agreeable outcome on offshore processing. Those offers were made in good faith and clearly demonstrated the Government's willingness to engage constructively with the Opposition on this matter.

In response to these expressions of good faith, you have insisted on a written proposal before discussions could begin. I am writing therefore to advise you that the Prime Minister, with whom I have been in regular contact on this matter, has authorised Mr Bowen to discuss the following proposal with Mr Morrison:

- The Opposition will support the Government's offshore processing legislation, without the Opposition's proposed amendments, through the Parliament;
- The Government will fully implement its transfer arrangement with the Malaysian Government;
- The Government will work with the Governments of Nauru and Papua New Guinea to establish offshore processing facilities for Irregular Maritime Arrivals who make the journey to Australia.

I should note that the Government will not implement Temporary Protection Visas. The clear experience and expert advice on their use under the Howard Government was that following their implementation, well over 9000 asylum seekers arrived by boat and that included an increase in the percentage of women and children making the dangerous boat journey to Australia.

I trust that this correspondence satisfies the Opposition's demand for a proposal in writing. The Government will come to the negotiation table in good faith, including a preparedness to discuss reasonable and effective ways to strengthen the package outlined above.

Minister Bowen is available to meet Mr Morrison at his earliest possible convenience to discuss this matter. His office will be in contact to find an agreeable time.

The Government has been very clear about the consequences of inaction on this issue. It is apparent that if this impasse continues, people will continue to undertake dangerous boat journeys and all of the risk that goes with that. That is not acceptable to the Government, nor do we believe that it is acceptable to the Australian public. The Government believes that politics should never trump the lives of men, women and children. And we are not prepared to let it.

For this reason, we are willing to implement both the Malaysia Arrangement and offshore processing on Nauru (and Papua New Guinea). Such a compromise brings together the core element of the Government's preferred solution and the core element of the Opposition's preferred solution.

The clear and consistent expert policy advice provided to the Government is that the Malaysia Arrangement is the most effective deterrent available because it removes any certainty of resettlement outcome in Australia. Our reporting from the region indicates that the mere prospect of the Malaysia Transfer Arrangement had a significant dampening effect on people-smuggling activity.

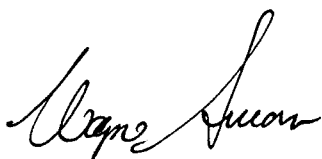
Equally, the clear policy advice available to the Government is that Nauru, in the absence of Malaysia, would not work as a deterrent. We are offering Nauru because we believe the country is looking to us to work together and because at such times willingness to compromise is demanded - not because we believe Nauru will work.

We are ready to put this compromise into action as soon as the Opposition is able to enter into a discussion and we can reach a mutually-agreeable outcome on the way forward.

I am aware of the Opposition's objections to Malaysia. And the Government has objections to Nauru. But it is time to put politics behind us. It is time to demonstrate our commitment to 'stop the boats' and act in the national interest by agreeing to a genuine compromise.

If you believe so strongly in Nauru, then you must agree with us that this combination is a solution that will work - and that will achieve our number one, shared, overriding objective: to stop men, women and children from risking their lives on leaky boats.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Wayne Swan', written in a cursive style.

Wayne Swan