

Attorney-General's meeting with His Excellency Admiral Thisara Samarasinghe

DATE: TBC

TIME: TBC

His Excellency Admiral Thisara Samarasinghe has requested a meeting with you as a general courtesy call. You have not previously met. Admiral Samarasinghe's biography is at **Annex A**.

It is likely that the main issue for discussion will be people smuggling, including Sri Lankan nationals being investigated or prosecuted in Australia for people smuggling offences and cooperation between our countries to combat people smuggling activity.

- People smuggling is a serious crime which poses the risk of heavy loss of life.
- Sri Lanka's ongoing efforts to disrupt people smuggling ventures and commitment to strengthening its people smuggling legislation are greatly appreciated.
- Australia and Sri Lanka cooperate closely to combat people smuggling, including through capacity building activities across immigration, legislative, law enforcement and defence areas.
- The Australian Government has a strong anti-people smuggling legislative framework, but is considering possible changes as a result of the report of the Expert Panel on asylum seekers.
- Ambassador for People Smuggling Issues Chittick had planned to visit Sri Lanka between 21 and 25 August but this has been postponed due to his commitments in PNG and Nauru. We hope to explore alternative dates with Sri Lanka in due course.
- Australia has proposed to establish a new joint working group on people smuggling and border security with Sri Lanka. If agreed, the first meeting could be held in October or November 2012.
- Sri Lanka and Australia collaborate on people smuggling issues under the *Australia-Sri Lanka Memorandum of Understanding on legal cooperation against the Smuggling of Migrants*, as well as through a range of capability building activities with police, Coastguard, Navy and Customs personnel.
- **IF RAISED – Information sharing on asylum seekers**
 - Australia shares statistics with Sri Lanka on numbers of Sri Lankan arrivals and boat departure points on a weekly basis. We are also working to provide Sri Lanka with an appropriate 24 hour contact point in the Australian system, through which Sri Lanka can provide information to us.
 - We are unable to share information on individual asylum seekers. Our obligations under the 1951 Refugee Convention and our privacy legislation prevent us from doing so.

Cleared by: s47F ... September 2012

Work: s47F

Action Officer: s47F

s47F

Brief includes input from DFAT, AFP and Customs.

ITEM	KEY ISSUES
<p>1.</p> <p>Australia's domestic people smuggling laws and recommendations of Expert Panel on Asylum Seekers</p> <p>Further background is set out in Annex B</p>	<p>Organisers and crew of people smuggling vessels are subject to strong people smuggling offences under Commonwealth legislation.</p> <ul style="list-style-type: none"> • Since September 2008, 36 suspected irregular entry vessels carrying people from Sri Lanka have arrived at the Cocos (Keeling) Islands, carrying a total of 1,822 irregular maritime arrivals (as at 17 September 2012). • No Sri Lankan nationals are currently being prosecuted in Australian courts for people smuggling offences (as at 16 August 2012). • The Expert Panel on Asylum Seekers provided their report to the Prime Minister on 13 August 2012. The report has been released publicly. • The Government has accepted the recommendations of the Expert Panel on Asylum Seekers and is working to implement them as a priority.
<p>2.</p> <p>AFP engagement with Sri Lanka</p> <p>Further background is set out at Annex C.</p>	<p>AFP and the Sri Lanka Police Service (SLPS) continue to cooperate closely in transnational crime investigations; including people smuggling matters.</p> <ul style="list-style-type: none"> • The AFP enjoys continued support and cooperation from key operational level contacts in SLPS including Criminal Intelligence Division (CID) elements; the Maritime Human Smuggling Investigation Unit, the Anti-Human Smuggling Investigation Bureau (AHSIB) and the Airport CID team, through sharing criminal intelligence and the conduct of joint operations where opportunities present. • A MoU between the Australian Federal Police and the SLPS on combating transnational crime and developing police co-operation was signed in May 2009 preceding the establishment of AFP's Colombo Office in June 2009. SLPS is presently giving consideration to a renewal of this MoU as it expired in May 2012. <p>AFP capacity development has centred on people smuggling support, however has also targeted broader interests of bilateral concern.</p> <ul style="list-style-type: none"> • AFP continues to provide assistance to SLPS CID with operational support funding for investigations and investigation support, and continues to fund and support the networked case management and intelligence database between various police units at CID and the International Airport. SLPS and CID continue to receive AFP funded police management training program positions. • The 1951 Refugee Convention requires Australia to process any claims before advising the host country. This places constraints on the timely exchange of intelligence information to assist with people smuggling investigations.
<p>3.</p> <p>Customs bilateral operational cooperation and capacity building with Sri Lanka</p> <p>Further background is</p>	<p>Customs and Border Protection have supported the provision of training opportunities to Sri Lankan Coastguard, Navy and Customs Personnel.</p> <p>Highlights of our cooperation and capacity building in 2012 include:</p> <ul style="list-style-type: none"> • The attendance of Sri Lankan Navy and Coastguard personnel at a desktop maritime security exercise held in Jakarta and facilitated by Customs and Border Protection; • Participation by three Sri Lankan Coastguard officers in a ship search training course in July 2012, and

set out at Annex D .	<ul style="list-style-type: none"> In May 2012, Customs and Border Protection delivered a workshop on drugs and precursor chemicals to Sri Lankan Customs counterparts
<p>4. AGD's engagement with Sri Lanka</p> <p>Further background is set out at Annex E</p>	<p>Work with Sri Lanka under the <i>Australia-Sri Lanka Memorandum of Understanding on legal cooperation against the Smuggling of Migrants</i>, has achieved positive outcomes.</p> <ul style="list-style-type: none"> AGD has provided advice and training to Sri Lanka on people smuggling, proceeds of crime, anti-money laundering, counter-terrorism financing and mutual legal assistance frameworks. Most recently, AGD hosted a workshop on mutual legal assistance in criminal matters in Colombo, Sri Lanka from 15-17 May 2012. In response to requests from the Sri Lankan Ministry of Justice and Attorney General's Department, AGD is planning to deliver workshops on people smuggling, proceeds of crime and mutual legal assistance later this year for Sri Lankan prosecutors. AGD has worked with Sri Lankan colleagues in developing new Sri Lankan people smuggling laws to improve consistency with international obligations arising under the <i>Migrants Smuggling Protocol</i>. These draft laws are currently under consideration by relevant departments in Sri Lanka.

Responses to issues which may be raised

Australia's co-sponsorship of Human Rights Council resolution

- The Australian Government has consistently urged Sri Lanka to investigate all allegations of crimes committed by both sides to the conflict in a transparent and independent manner (*as articulated in former Foreign Minister Rudd's statement on the LLRC report on 13 February*).
- And we have sent clear messages about the need to effectively implement the constructive recommendations of Sri Lanka's own LLRC report
- Our co-sponsorship of the UN Human Rights Council resolution on Sri Lanka in March 2012 was consistent with Australian policy.

ICCCA input

ANNEX A – Biography: His Excellency Admiral Thisara Samarasinghe

Admiral Samarasinghe was appointed as Sri Lanka's High Commissioner to Australia in May 2011 and commenced official duties from 28 July 2011.

Previous to this appointment, Admiral Samarasinghe had a 36 year career in the Sri Lankan Navy and held a number of key appointments both afloat and ashore. Admiral Samarasinghe was Commander of the Navy from 15 July 2009 to 15 January 2011. He joined the Sri Lanka Navy in 1974 as an Officer Cadet at the Naval & Maritime Academy in Trincomalee and graduated from Navigation and Direction school INS Venduruthy, India.

Annex B – People Smuggling Offences in Australia

Key statistics

- Since December 2011, 53 Sri Lankan nationals have identified themselves to Customs as crew members, the majority of which have yet to undergo entry interviews by DIAC (as at 16 August 2012).
- Since September 2008, five organisers and 227 crew have been convicted of people smuggling offences in Australia (as at 5 September 2012).

People smuggling offences

- Australia's legislative framework criminalising people smuggling is set out in the Migration Act 1958 for ventures entering Australia and the *Criminal Code Act 1995* for other ventures.
- The most commonly prosecuted people smuggling offence is the aggravated offence of people smuggling involving five or more persons (maximum penalty: imprisonment for 20 years, a \$220,000 fine, or both, and for offences under the Migration Act, a mandatory minimum penalty of five years' imprisonment, and a three year non-parole period for first time offenders applies).

If raised: Sending more Sri Lankan asylum seekers back

- Australia is committed to returning to Sri Lanka those Sri Lankan asylum seekers found not to be owed Australia's protection
 - agree it would send a strong signal to potential illegal immigrants
 - we are however constrained by our international obligations to asylum seekers and by the many avenues of appeal available to asylum seekers in Australia, including through the courts.

s37(2)(b)



If raised: Adverse Security Assessments for Sri Lankan Asylum Seekers from ASIO

- The Department of Immigration and Citizenship (DIAC) refers asylum seekers to ASIO for security assessment in accordance with the *Australian Security Intelligence Organisation Act 1979*, *Migration Act 1958* and associated regulations. When this occurs, ASIO's role is to assess whether it would be consistent with Australia's security for a person to be granted a visa. ASIO's priority and responsibility is to ensure that Australia's security is not compromised.

- As at 31 July 2012, 51 irregular maritime arrivals and four individuals rescued by ACV *Oceanic Viking* have been issued with an ASA by ASIO.

If raised: What happens to Sri Lankan nationals found to be owed protection who have Adverse Security Assessments

- It is Australian Government policy to detain asylum seekers who are the subject of adverse security assessments and who have been assessed as being owed protection obligations, pending the resolution of their case.
- The Australian Government continues to explore third country resettlement options for those individuals. The Australian Government takes its international obligations seriously and does not return persons owed protection to their country of origin.

Expert Panel on Asylum Seekers Report

- The report of the Expert Panel on Asylum Seekers was released on 13 August 2012. The Panel's recommendations aim to ensure that those who travel to Australia by boat receive no advantage over those waiting for resettlement in source or transit countries.
- Accordingly, the Panel recommended that the Government introduce legislation to support regional processing arrangements, and immediately establish offshore processing on Nauru and PNG.
 - On 15 August 2012, the House of Representatives passed amendments to the Migration Legislation Amendments (Regional Processing and Other Measures) Bill 2011, to give effect to these recommendations. The Bill was also passed by the Senate.
 - The new offshore processing regime is now underway, including the signing of Memoranda of Understanding with Nauru and Papua New Guinea and preliminary assessment of the processing facilities.
 - 1,500 irregular maritime arrivals will ultimately be able to be housed in Nauru and a further 600 at the Manus Island facility in PNG.
 - The first transfer of asylum seekers to Nauru took place on 13 September. The group transferred comprised adult Sri Lankan males.
 - The Government has announced that Australia's humanitarian migration intake will increase to 20,000 placed in 2012-13.
- ~~The new laws will allow the Minister for Immigration to designate specific locations outside Australia for the conduct of regional processing of asylum seekers.~~
- The report also recommended changes for crew of people smuggling ventures, including an option for discretion being given to Australian courts for sentencing crew.
- This recommendation could possibly be implemented by the Attorney-General giving a direction to the Commonwealth Director of Public Prosecutions to use

a lesser people smuggling offence for which mandatory minimum penalties do not apply.

- While these possible changes would apply to Sri Lankan crew, they would not affect the prosecution of organisers of people smuggling ventures.

Annex C – Further Information on AFP Engagement in Sri Lanka

AFP Capacity Development

• s33(a)(iii)



AFP Engagement on People Smuggling Issues

- SLPS have been very active in fighting people smuggling criminal activity in recent months and have experienced great operation successes and large numbers of arrests and charges, with the concomitant burden on CID's limited human and financial resources.
- Since 1 July 2012, 23 vessel departures have been attempted or commenced in Sri Lanka and subsequently disrupted by the Sri Lanka Navy or Sri Lanka Police Service. The Sri Lanka Police Service advise they currently have over 100 facilitators/ organisers/crew before the courts facing charges associated with people smuggling ventures.

AFP People Smuggling Statistics specific to Sri Lanka

Year	Disruptions	People involved	Arrests
2009	12	249	40
2010	6	34	30
2011	3	113	19
2012	28	1083	42

- The SLPS has made a significant impact on people smuggling crime, through the application of intelligence and investigation resources, the establishment of an AFP supported Maritime Human Smuggling Investigation Unit (MHSU). The 12 member MHSU takes responsibility for investigation of disrupted ventures and has become a knowledge base for intelligence associated with the organisers of this crime type. The SLPS did not have a people smuggling

investigative or intelligence capability prior to the AFP providing funding for the MHSU.

Background

Sri Lanka Police Service Criminal Investigation Division (SLPS CID)

The SLPS CID is the lead investigation area of the SLPS.

The CID is the home of the AFP supported Maritime Human Smuggling Investigation Unit (MHSU), which has played a key role in both disruptions and arrests since its establishment in May 2010. The AFP constructed and fitted out the MHSU and continues to provide technical support.

The AFP has also provided significant support to other CID teams engaged in immigration fraud and people smuggling; the Anti Human Smuggling Investigation Bureau (AHSIB); and the Airport CID. The AFP funded the construction and fit out of the Airport CID office in 2010, as well as providing computers and technical equipment to AHSIB in 2010.

AFP Capacity Building Projects to date:

Training and study tours; Money Laundering and Financial Investigations; Asia Regional Law Enforcement Management Program, Management of Serious Crime, and Police Management Development Program; operational study tours to Indonesia and Australia.

Infrastructure; Construction of a Police Intelligence (CMIS) database (AUD\$224,000); Build and fit out of 'Koala Centre' Computer Based Training and ICT lab at Police College (AUD\$800,000); Refurbishment and fit out of the CID's Maritime human smuggling unit (AUD\$150,000); Refurbishment and fit out of CID's Airport office (AUD\$70,000) and general technical and resource support including vehicles, computers, cameras and office equipment totalling approximately AUD\$200,000.

A major capacity development project continues between AFP and CID, being the construction of a case management and intelligence database (CMIS) which will network gifted computers in the CID executive, MHSU, AHSIB, Airport CID, Registry and Interpol units.

Annex D – Further Information on Customs Engagement in Sri Lanka

- The High Commissioner met with the Acting Chief Executive Officer of Customs and Border Protection on 12 September 2012. Key topics of discussion were the sharing of information on SIEV arrivals, the provision of a 24-hour contact point and the proposed bilateral joint working group.

Information campaigns to deter potential irregular immigrants

- The subject of an information campaign to deter potential irregular immigrants was raised by the Sri Lankan Defence Secretary in a meeting with the Hon. Chris Bowen MP, Minister for Immigration and Citizenship.
- Customs and Border Protection is considering options for a new communications campaign in Sri Lanka targeting PIIIs. The Strategic Communications Working Group has given its endorsement.
- Post Colombo has provided detailed advice on the shape of a potential campaign and has identified a contractor in a position to deliver it. The campaign would send clear and simple messages to PIIIs, with particular focus on two points:
 - That irregular maritime arrivals will be transferred to another country for processing offshore, and;
 - Irregular maritime arrivals so transferred will have little or no opportunity to remit money home.
- Post Colombo is engaging with Sri Lankan media and promoting awareness of the new Australian policy position on its website.
- DIAC officials from Post will also take the opportunity to raise awareness of the policy during a tour of DIAC-funded, IOM-delivered projects for displaced persons during the week of 17 September.

s33(a)(iii)



s33(a)(iii)



s33(a)(iii)



Annex E – Further Information on AGD’s Engagement with Sri Lanka

Capacity Building

The Attorney-General’s Department has been working closely with Sri Lankan counterparts to strengthen Sri Lanka’s people smuggling legislation and is keen to continue this engagement. Cooperation with Sri Lanka takes place under the *Australia-Sri Lanka Memorandum of Understanding on legal cooperation against the Smuggling of Migrants*, which was signed in November 2009.

Most recently, AGD hosted a workshop on mutual legal assistance in criminal matters in Colombo, Sri Lanka from 15-17 May 2012. Approximately 25 attendees from a number of Sri Lankan agencies, including the Attorney General’s Department, the Ministry of Justice, the Ministry of External Affairs and Police attended. The aim of the workshop was to strengthen the capacity of Sri Lanka to effectively request and receive mutual legal assistance requests. The workshop set out the importance of mutual legal assistance in combating transnational crime and attendees considered ways in which Sri Lanka and Australia could work more closely together in the future to provide all assistance possible in investigating and prosecuting transnational crime, particularly people smuggling offences.

ICCCA and ICPEB input

Annex F – Other Issues

Human rights and implementation of Lessons Learnt and Reconciliation Commission (LLRC) recommendations

- We welcome the release of Sri Lanka's National Action Plan to implement the recommendations of the LLRC on 26 July 2012 (approved by Sri Lanka's Cabinet on 25 July).
 - We will remain closely interested in the practical steps to be taken, particularly measures to address accountability, and the deadlines set by the Government of Sri Lanka.
- Australia has made clear its concerns about civilian casualties during the final stages of the conflict in Sri Lanka (*December 2008-May 2009*)
 - Reconciliation entails accountability for the civilian deaths at the end of the conflict.

If raised: Proscription of LTTE

- Australia has listed the LTTE as a terrorist entity under the Charter of the United Nations Act 1945 for the purposes of Australian anti-terrorism financing measures. (This meets Australia's obligations under the United Nations Security Council Resolution 1373 (2001).)
- Consequently, it is a criminal offence in Australia or for an Australian anywhere in the world to use or deal with assets owned or controlled by the LTTE, or to provide assets to the LTTE, whether directly or indirectly.
- These offences carry penalties of up to 10 years imprisonment.
- The Australian Government has not listed the Liberation Tigers of Tamil Eelam (LTTE) as a terrorist organisation under the Criminal Code Act 1995.
- The Australian Government keeps under active review the issue of which organisations should be proscribed as terrorist organisations under Australian law. However, consistent with longstanding practice, the Government does not comment on the status of any consideration given to listing particular groups.
- An organisation does not have to be listed for the terrorist organisation offences under the Criminal Code to be prosecuted.

s33(a)(iii)



b3(1)





Ministerial No: 106698

Minister for Home Affairs

cc Attorney-General

cc Minister for Immigration and Citizenship

Update on strategic counter-people smuggling communications following the release of the Expert Panel's report on asylum seeker policy

Deadline: No deadline.

Proposed action

That you note the communications activities currently planned and/or underway in response to the release of the Expert Panel's report on asylum seeker policy and subsequent announcements of new policy settings including the issuing of bridging visas announced by the Minister for Immigration and Citizenship on 21 November.

Reasons for proposed action

Australian Government agencies are communicating the policy changes regarding irregular maritime arrivals domestically and internationally. This has involved reorienting some existing communications activity. New research is underway domestically to inform the new messaging activity promoting awareness of Australia's new "no advantage" policies with resources approved by the Prime Minister on 3 November.

Reorientation of existing resources to support new policy settings

1. A 32-day tour of key Sri Lankan coastal locations delivered by a local communications provider, on contract to Customs and Border Protection, will disseminate messages at the community level. DIAC is supporting this initiative through the provision of DIAC officers who will accompany the tour to lend authority to Australian Government messaging and engage with local communities. Sri Lankan Government approval has been obtained.
2. DIAC is producing a number of videos to inform Sri Lankan IMAs in Australia about the process and benefits of returning home voluntarily and

reintegration assistance options. A DIAC National Communications team was recently in Sri Lanka to interview voluntary returnees, and record interviews in Tamil and Sinhala.

3. These videos will also be provided to Customs and Border Protection for use in offshore communications activities in Sri Lanka and Indonesia. Customs and Border Protection will also make them available to its contracted media and research company operating in the Afghanistan/Pakistan and Middle Eastern regions to broaden the message about returns beyond Sri Lanka.
4. Beginning on 6 December, DIAC will be commencing a series of discussions of the implementation of the Expert Panel report with diaspora community leaders across the country. A schedule of these meetings is at Attachment A.
5. Customs and Border Protection is presently using existing contractors (s47E(d) in Afghanistan, Pakistan and the Middle East and (s47E(d) in Sri Lanka) to measure the impact of our messaging to date. Both contractors are continuing their messaging activity in the meantime. The existing contracts will both expire in early 2013.
6. For example, in the Afghanistan/Pakistan and Middle Eastern region, Customs and Border Protection has commissioned a special survey of potential irregular immigrants to measure perceptions and reactions regarding the recently-announced issuing of bridging visas to irregular maritime arrivals. This survey is expected to be delivered on 18 December.

Implementation of agreed joint communications strategy – Sri Lanka

7. Customs and Border Protection will be undertaking market research, creative design, delivery and evaluation as part of the ongoing joint communications strategy. While pre-existing messaging continues, we are currently in the research phase of the further program of activities.
8. As a matter of priority, Customs and Border Protection is seeking to commence market research in Sri Lanka to measure the impact of recent policies such as expedited returns and bridging visas. The priority given to Sri Lanka is in response to the surge in arrivals from that country.
9. The researcher will work closely with TBWA to refine the company's current messaging to maximise impact.

Implementation of agreed joint communications strategy - onshore

10. DIAC has contracted research and strategic marketing communications company Essence Communications to undertake qualitative developmental

research with Afghan, Iranian, Iraqi and Sri Lankan onshore diaspora communities. Taking into account research findings, Essence Communications will develop a communications strategy that articulates ways to further gain the support of diaspora communities within Australia to support the implementation of the Expert Panel recommendations.

11. The research will be used by DIAC to inform messaging and communication activities intended to deter people smuggling and educate the onshore target communities about Australia's expanded humanitarian program. The research will determine:
 - the level of knowledge and awareness of the findings of the Expert Panel on Asylum Seekers in the onshore target communities
 - onshore target communities' perceptions and attitudes towards communicating key messages to their relatives and friends in source countries from which the onshore target communities have migrated from
 - the type of advice the onshore target communities are giving to source country relatives and friends in the countries from which the onshore target communities have migrated from, in relation to irregular migration to Australia.
12. The research findings provide by Essence Communications to DIAC will provide recommendations regarding:
 - identification of key messages that trigger a potential re-evaluation or reframing of attitudes of onshore target communities towards communicating with their relatives and friends on people smuggling issues
 - identification of specific key messages and channels that will be most effective in targeting other diaspora communities to communicate about people smuggling
 - a rationale as to the role of communications with each onshore target community, and qualitative evaluation of the return on investment that communications will provide.

Implementation of agreed joint communications strategy – other activity

13. Customs and Border Protection has identified potential suppliers of research and communications services in Afghanistan/Pakistan, the Middle East, Sri Lanka and Indonesia to enable the delivery of the new communications measures envisaged in the joint strategy. These include existing and new suppliers.

14. A selection panel including representatives from Customs and Border Protection, DIAC and the Department of the Prime Minister and Cabinet has been formed and will be meeting with four of the potential suppliers this week.
15. To ensure that we consider as wide a range of possible suppliers as possible, Customs and Border Protection has also established a contract with an Australian consultancy to locate media and research companies in Sri Lanka and Indonesia.
16. Customs and Border Protection is finalising a strategic communications delivery strategy that will integrate and coordinate delivery of these projects.
17. Customs and Border Protection is also seeking to embed a communications officer with the DIAC National Communications Branch to reinforce the coordination between the on- and offshore campaigns.
18. Messaging on the new policy position continues to be disseminated through Customs and Border Protection's existing contractors operating in Indonesia and Pakistan, Afghanistan and the Middle East.

Resource Implications

Communications activities will be funded from within existing allocations as well as the additional funding granted by the Prime Minister in her letter of 3 November to the Minister for Immigration and Citizenship.

Consultation

Internal

The Counter-Maritime People Smuggling Taskforce has the lead role within Customs and Border Protection on strategic counter-people smuggling communications matters.

External

Posts Colombo and Jakarta, the Department of Immigration and Citizenship and the Department of the Prime Minister and Cabinet.

Expected reaction

Not applicable.

Sensitivities/Media Opportunities

Not applicable.

Recommendation

That you note the communications activities currently underway and planned in response to the release of the Expert Panel’s report on asylum seeker policy and its subsequent adoption and legislation by the Government.

SIGNED / CLEARED BY:

ORIGINATED BY:

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 Don Smith
 National Manager
 Counter-People Smuggling Taskforce
 Telephone: 6275 5012
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 s47F
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Noted/Please Discuss

.....
 Minister for Home Affairs
 / /

Feedback on Submission							
Timely	Yes	No	Length	Too Brief	Right Length	Too Long	
Quality	Poor	1	2	3	4	5	Excellent
Comments							
Initials: Date / /							

Attachment A

Schedule as at 3 December 2012
Expert Panel on Asylum Seekers Discussions with Community Leaders

Person to lead meeting highlighted in yellow

Date	Location	Target group	DIAC presenters	CLO contact
Thursday 6 December 2012 10.30 am	Melbourne, VIC College of Surgeons	Service Providers / other community members	Amanda Paxton (State Director) Marie McAuliffe (Irreg Mig NatO) Sue Merlino (Ref & Hum NatO) Leigh Harrison (OHPC Vic) Rosemary Wilmot (Family Vic)	Anna Hughes Kanwal Josan
Thursday 6 December 2012 2 pm	Melbourne, VIC STO level 25 conference room 1	Tamil community	Amanda Paxton (State Director) Marie McAuliffe (Irreg Mig NatO) Sue Merlino (Ref & Hum NatO) Rosemary Wilmot (Family Vic)	Anna Hughes Kanwal Josan
Thursday 6 December 2012 6 pm	Melbourne, VIC Spectrum in Preston	Iraqi Arabic community	Amanda Paxton (State Director) Marie McAuliffe (Irreg Mig NatO) Sue Merlino (Ref & Hum NatO) Leigh Harrison (OHPC Vic) Rosemary Wilmot (Family Vic)	Anna Hughes Kanwal Josan

Friday 7 December 2012 12 noon working lunch	Shepparton, VIC Uniting Care	Service Providers	Leigh Harrison (OHPC Vic) Michael Abdilla (CLO Vic)	Michael Abdilla
Friday 7 December 2012 2 pm	Shepparton, VIC Uniting Care	Iraqi Arabic community	Leigh Harrison (OHPC Vic) Michael Abdilla (CLO Vic)	Michael Abdilla
Monday 10 December 2012 2 pm	Parramatta office NSW	Singhalese community	Jim Callow (GM Ref &Hum NSW) Steve Norman (Onpro NatO) Fiona McCulloch (Family NSW)	Fiona Clarke Karen Van Raak
Monday 10 December 2012 6 pm	Parramatta office NSW	Tamil community	Jim Callow (GM Ref &Hum NSW) Steve Norman (Onpro NatO) Fiona McCulloch (Family NSW)	Fiona Clarke Karen Van Raak
Tuesday 11 December 2012 10am	Parramatta office NSW	Service Providers/others	David Walsh (State Director) Jim Callow (GM Ref &Hum NSW) Steve Norman (Onpro NatO) Fiona McCulloch (Family NSW)	Fiona Clarke Karen Van Raak
Tuesday 11 December 2012 2 pm	Parramatta office NSW	Iranian Persian community	Jim Callow (GM Ref &Hum NSW) Steve Norman (Onpro NatO) Fiona McCulloch (Family NSW)	Fiona Clarke Karen Van Raak
Tuesday 11 December 2012 6pm	Parramatta office NSW	Iraqi Arabic community	Jim Callow (GM Ref &Hum NSW) Steve Norman (Onpro NatO)	Fiona Clarke Karen Van Raak

			Fiona McCulloch (Family NSW)	
Monday 10 December 2012 9 am	Brisbane QLD In office	Kurdish community	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Monday 10 December 2012 11 am	Brisbane QLD In office	Iranian community	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Monday 10 December 2012 3 pm	Brisbane, QLD In office	Tamil community	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Monday 10 December 2012 6 pm	Brisbane, QLD In office	Iraqi Arabic community	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Tuesday 11 December 2012 9 am	Brisbane, QLD In office	Islamic peak bodies	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Tuesday 11 December 2012 11 am	Brisbane, QLD In office	Service providers	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Tuesday 11 December 2012 3 pm	Brisbane, QLD In office	Singhalese community	Robert Hoytink (GM Family QLD) Chloe Bird (Irreg Mig NatO)	Lisa Ward Angela Naumann
Sunday 16 December 2012 1 pm	Rockhampton, QLD	Tamil community (& possibly Iranian)	Lisa Ward (MA QLD) Zoltan Swain (MA QLD)	Lisa Ward Angela Naumann
Tuesday 18 December	Perth, WA	Tamil community	Peta Dunn (State Director)	Elika Satar

2012 1 pm	In office			Leonie Sheppard
Tuesday 18 December 2012 3.30 pm	Perth, WA In office	Singhalese community	Peta Dunn (State Director)	Elika Satar Leonie Sheppard



Australian Government

**Australian Customs and
Border Protection Service**

Ministerial No: 106607

Minister for Home Affairs

cc Attorney-General

Senior officials visit to Sri Lanka – November 2012

Deadline: Not applicable

Proposed action

That you note this brief regarding this week's senior official visit to Sri Lanka.

Reasons for proposed action

1. A delegation of senior Australian Government officials will be visiting Sri Lanka from 22 to 23 November 2012.
2. This visit is an outcome of your letters of 15 October 2012 to Sri Lankan President Mahinda Rajapaksa and External Affairs Minister GL Peiris in which you formally proposed the establishment of a bilateral Joint Working Group (JWG) on People Smuggling and Border Security Issues.
3. The delegation will be led by Peter Vardos (Deputy Secretary, Department of Immigration and Citizenship) and will include the following agency representatives:
 - DIAC – Jose Alvarez (Regional Director, New Delhi)
 - DFAT – Craig Chittick (Ambassador People Smuggling Issues), s47F
 - AFP – s47F
 - AGD – Kelly Williams (Assistant Secretary, International Legal Assistance Branch)
 - Customs and Border Protection – Rear-Admiral David Johnston (Commander, Border Protection Command), Don Smith (National Manager, Counter-People Smuggling Taskforce)
4. The purpose of the senior officials visit is to engage with Sri Lankan counterparts ahead of the inaugural meeting of the bilateral Sri Lanka-Australia Joint Working Group, which is timed to coincide with Foreign Minister Carr's visit to Sri Lanka from 15 to 17 December.

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5. The key objectives of the visit are:
- Call to thank Defence Secretary Gotabaya Rajapaksa and other senior officials, as per the DFAT agenda.
 - Provide briefing on Australia's whole-of-government approach to people smuggling, irregular maritime arrivals, including returns and related issues
 - Head of delegation (Peter Vardos PSM) to hold a press conference, with senior Australian uniformed officials, to provide public messaging around the Australian Government approach.
 - Confirm arrangements for the JWG, including meeting title, membership, agenda/ scope and dates.
6. Briefs have been provided to the delegation to cover the following topics:
- Overview of people smuggling issues
 - Progress towards a Joint Working Group on People Smuggling and Border Security Issues
 - Update on strategic counter-people smuggling communications
 - §33(a)(iii) [REDACTED]
 - Legal cooperation and capacity-building activities
 - Border Protection Command engagement with Sri Lanka
 - §33(a)(iii) [REDACTED]
 - Background brief on Trincomalee (these last two in support of a field trip to the Trincomalee Naval Base on 23 November)
7. Delegates have also been provided with background briefs on human rights, the DFAT Country Brief and whole-of-government media talking points.

Resource Implications

Nil

Consultation

Internal

International Coordination Branch has been consulted in the preparation of this brief.

Expected reaction

Not applicable.

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Sensitivities/Media Opportunities

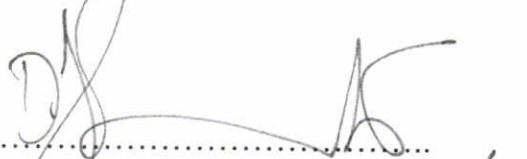
A media conference is scheduled for the evening of Thursday 22 November.


Recommendation

That you note this brief outlining attendance, purpose and topics of discussion for the senior officials visit to Sri Lanka.

SIGNED / CLEARED BY:

ORIGINATED BY:


.....
Don Smith
National Manager
Counter People Smuggling Taskforce
6275 5012
19/11/12


.....
s47F [redacted]
Director
Counter People Smuggling Taskforce
s47F [redacted]
/ /

 Noted/Please Discuss


.....
Minister for Home Affairs
20/11/12

Feedback on Submission							
Timely	Yes	No	Length	Too Brief	Right Length	Too Long	
Quality	Poor	1	2	3	4	5	Excellent
Comments							
Initials: Date / /							

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Australian Government
**Australian Customs and
 Border Protection Service**

Ministerial No: 106697

Minister for Home Affairs

cc **Attorney-General**
 cc **Minister for Immigration and Citizenship**
 cc **Minister for Foreign Affairs**

Upcoming bilateral working groups with Sri Lanka s22(1)(a)(ii)

Deadline: Not applicable.

Proposed action

That you note preparations and proposed agendas for the upcoming bilateral working groups with Sri Lanka s22(1)(a)(ii)

Reasons for proposed action

1. The inaugural meeting of the Sri Lanka-Australia Joint Working Group on People Smuggling and Border Security Issues is planned to be held in Colombo on 17-18 December 2012.
2. The Australian delegation will consist of representatives from the following agencies:
 - Department of Immigration and Citizenship (Acting Secretary Martin Bowles)
 - Customs and Border Protection (National Manager International Engagement (Asia) Christine Marsden Smedley, National Manager Counter People Smuggling Taskforce Don Smith).
 - Department of Foreign Affairs and Trade (Ambassador People Smuggling Issues Craig Chittick)
 - Attorney-General's Department (Deputy Secretary Tony Sheehan)
 - Australian Federal Police s47F
3. A draft agenda has been prepared and circulated for comment, including to Post Colombo. The current draft agenda is at Attachment A. s33(a)(ii)

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4. s33(a)(iii) [REDACTED]
5. It is anticipated that Senator Carr, Minister for Foreign Affairs, and Sri Lankan Minister for External Affairs Peiris, will jointly open the working group.
6. Post anticipates attendance of senior representatives from the Sri Lankan Ministry of Defence (including the Chief of Navy), the Attorney-General's Department and the Ministry of Justice, however precise details of Sri Lankan attendees are not yet known.
7. s22(1)(a)(ii) [REDACTED]
8. s22(1)(a)(ii) [REDACTED]
9. s22(1)(a)(ii) [REDACTED]

Resource Implications

Not applicable.

Consultation

Internal

Border Protection Command has been consulted regarding the Customs and Border Protection-MMEA Senior Officials meeting.

External

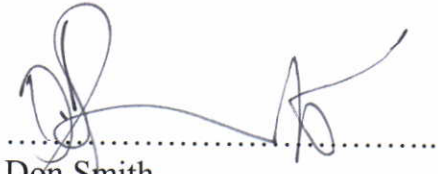
The Department of Foreign Affairs and Trade, the Department of Immigration and Citizenship, the Attorney-General's Department, the Australian Federal Police and Australian diplomatic posts in Sri Lanka s22(1)(a)(ii) [REDACTED] have been consulted during the preparations for these working groups.

Recommendation

That you note progress towards the upcoming bilateral joint working groups with Sri Lanka §22(1).

SIGNED / CLEARED BY:

ORIGINATED BY:



Don Smith
National Manager
Counter People Smuggling Taskforce
02 6275 5012
6/12/12

§47F
Director
Counter People Smuggling Taskforce
§47F
6/12/12

Noted/Please Discuss



Minister for Home Affairs

17/12/12

Feedback on Submission							
Timely	Yes	No	Length	Too Brief	Right Length	Too Long	
Quality	Poor	1	2	3	4	5	Excellent
Comments							
Initials: Date / /							

Attachment A

SRI LANKA-AUSTRALIA JOINT WORKING GROUP ON PEOPLE SMUGGLING AND BORDER SECURITY

DAY 1

OPENING AND INAUGURATION OF JOINT WORKING GROUP

- External Affairs Minister Peiris and Senator Carr to open the inaugural working group on behalf of Sri Lanka and Australia.

1. WELCOME AND OPENING REMARKS BY SRI LANKAN AND AUSTRALIAN HEADS OF DELEGATION

- Goals / Aims for the Joint Working Group and future scope.
- Overview of the key themes for the first meeting of the working group, including:
 - Border management
 - Law enforcement cooperation
 - Regional and international cooperation

Objectives

1. To enhance the working relationship between Sri Lankan and Australian agencies involved in combatting people smuggling and border security issues, and further build institutional linkages between the two countries.

2. CURRENT MARITIME PEOPLE SMUGGLING RISKS

- Current intelligence and operational environment

Objectives

BPC, PSIAT, AFP to comment as required

3. LAW ENFORCEMENT COOPERATION

- Bilateral cooperation between law enforcement agencies.
- Recent policy initiatives (eg, expedited returns from Australia).

Objectives

AFP and DIAC to comment as required.

4. LEGAL COOPERATION

- Report on workshops for Sri Lankan High Court Judges and prosecutors held on 24-26 November 2012.

Objectives

1. To confirm agreement to the development of a MOU for returns that sets out agreed expectations.
2. AGD to add further comment as required.

DAY 2

5. REGIONAL AND INTERNATIONAL COOPERATION

- Bali Process, RILON

Objectives

1. Working with Sri Lanka, promote regional engagement on people smuggling and border security issues, particularly through the Bali Process.
DFAT to comment as required.

6. FUTURE AREAS OF COOPERATION

- Enhanced engagement on counter-maritime people smuggling issues.
- Operations planning – mechanisms for sharing of knowledge and experiences.
- Capability development.
- Officer exchanges and visits program.
- Training and professional development opportunities.

Objectives

1. To facilitate and enhance current programs of defence, law enforcement and legal cooperation.
2. All agencies to comment as required.

7. NEXT MEETING

- Signpost future focus areas/themes for the JWG.
- Agreement to be reached on an anticipated date and location for the next

meeting of the JWG.

Objectives

1. To identify the future direction of the JWG.
2. To secure Sri Lankan agreement for the second meeting of the JWG to be held in Australia in approximately one year's time.
3. All agencies to comment as required.

**8. ADOPTION OF RECORD OF DISCUSSION AND CLOSING
REMARKS BY HEADS OF DELEGATION**

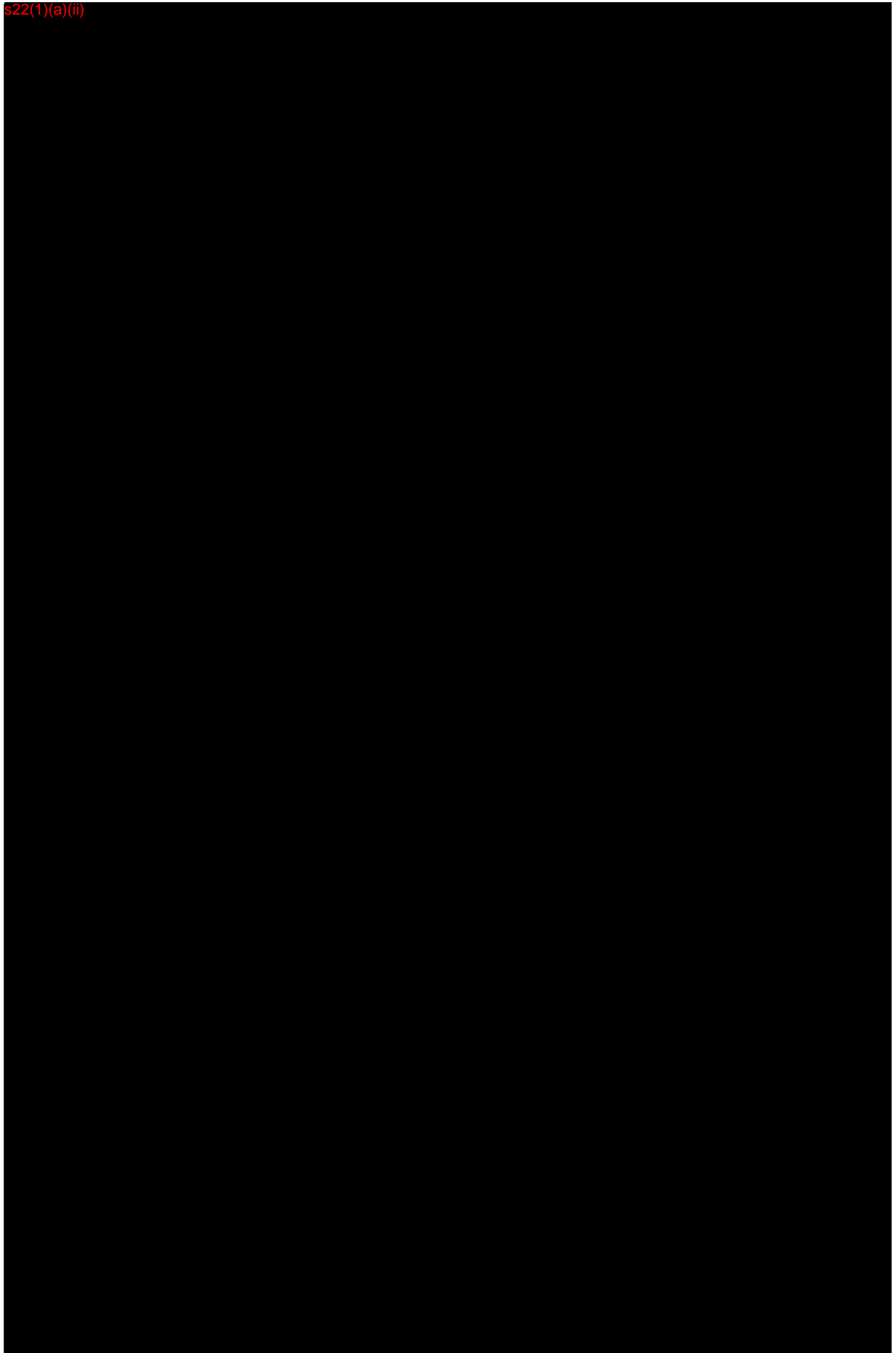
END MEETING

Attachment B

with s22(1)(a)(ii) [redacted] a [redacted] [redacted] [redacted] [redacted]
[redacted] [redacted] [redacted]

s22(1)(a)(ii) [redacted]

s22(1)(a)(ii)



s22(1)(a)(ii)

