M emorandum of Understanding between the Republic of Nauru and Australia on the Enduring Regional Processing Capability in Republic of Nauru

Since 2012, the Republic of Nauru and the Government of Australia (“the Participants”) have worked as partners to address irregular migration and people smuggling throughout the Indo-Pacific region. The Participants have cooperated in the establishment and implementation of regional processing arrangements in the Republic of Nauru, including the delivery of migration outcomes for persons transferred to the Republic of Nauru. The Participants have mutually determined to build on their existing strong and cordial relations to meet the ongoing challenges of irregular migrati�Ā᠀؀ጀᜀఀ̀᐀Ѐ toan enduring regional processing capability

in the Republic of Nauru,

cooperation on migration and in
combatting transnational crime, and acknowledge with mutual intent and spirit of the importance of
State cooperation to undermine people smuggling;
• Irregular migration and people smuggling are continuing global challenges;
• While border control and law enforcement measures to address people smuggling and transnational
crime are important, practical cooperative solutions that also address humanitarian needs are required; and

Recognising:

• The need for practical action to limit opportunities for irregular migration, eradicate people smuggling
and transnational crime, and promote orderly migration and humanitarian solutions; and
• The need to take account of the protection needs of persons who have moved irregularly and who
may be seeking asylum;

the Participants have mutually reached the following understandings regarding an enduring regional processing capability in the Republic of Nauru.

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8. The following people may be transferred to the Republic of Nauru: a. persons eligible to be transferred to the Republic of Nauru under the Australian Migration Act 1958 (Cth); and
b. such other specific person or categories of persons, who are capable of being transferred ㊐

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12. The Republic of Nauru undertakes to enable Transferees, who it determines are in need of international protection, to remain in the Republic of Nauru pending a migration outcome, including resettlement.
13. The Republic of Nauru will identify and facilitate migration outcomes for Transferees who it determines are in need of international protection, including third country resettlement options for persons, or permanent settlement in the Republic of Nauru in accordance with clause 6.
14. The Republic of Nauru will remove Transferees who it finds not