

**Najib: 'Malaysia Solution' in Australia's court**  
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**By Ida Lim**

KUALA LUMPUR, March 24 — Datuk Seri Najib Razak said last night the refugee swap deal with Australia would depend on whether Canberra could sort out its own legal obstacles.

The Australian government said earlier this week it hopes to revive again the controversial asylum swap with Malaysia as new legislation is now being debated in Parliament to break the impasse.

"The ball is very much in their court. It's up to them to deliver their side of the bargain," said Prime Minister Najib after chairing an Umno supreme council meeting.

The Umno president referred to Australia's failure last year to amend the Migration Act, saying, "It was on their part. Australia couldn't get through Parliament."

According to Bernama Online, Independent MP Rob Oakeshott introduced a private members' bill last week to amend the Migration Act in an attempt to resolve the dispute between the Labor government and the Coalition on the issue of legalising offshore processing and swapping of asylum seekers with Malaysia.

This, reported Malaysia's national news agency, meant that the "Malaysian Solution" was now back on the agenda, according to Foreign Minister Senator Bob Carr.

According to Carr, both nation's governments have been huddled in fresh discussions on the deal and Putrajaya is purportedly ready to strike a new deal with its Commonwealth neighbour.

"Without the Malaysian solution, we are left with a half-baked, improvised, unwilling Indonesian solution," Bernama Online quoted him as telling ABC TV's Lateline yesterday.

"Without the Malaysian solution, all the region is left with is...a burden placed on our Indonesian neighbour, a parlous position in the ports of Indonesia, people at risk at sea and a message going out that Australia can't control its borders in way it would like.

But Australia's federal opposition has said it would not support Oakeshott's Bill, calling it "just the government's bill rebadged".

The Gillard administration failed in its attempt last year to push through amendments to the Migration Act as the opposition had refused to back the legislation unless Malaysia was disqualified, due to doubts over its human rights record.

The amendments were mooted as the administration's way to circumvent the Australian High Court's decision in August last year to rule the "Malaysia Solution" as invalid.

The decision was made because Malaysia is not a signatory to the United Nations' convention on refugees.

In January this year, reports said that negotiations between Labor and the Coalition had broken down after the opposition insisted that asylum seekers sent to Malaysia would be given "the protection of law" rather than Putrajaya's assurances.

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