



Net I P R

Network for International Protection of Refugees

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11 September 2001

Press Release

AUSTRALIAN GOVERNMENT'S INHUMAN CONDUCT TOWARDS ASYLUM-SEEKERS

1. The Network for International Protection of Refugees (NetIPR), a South Australian refugee advocacy group, expresses grave concern regarding the Australian Government's conduct towards asylum-seekers. On Saturday 8 September 2001, an Australian Warship, HMAS *Warramunga*, attempted to forcefully divert a boat carrying 237 asylum-seekers from Iraq. The MV *Aceng*, a small vessel carrying unarmed asylum-seekers was intercepted 34 nautical miles off Ashmore Reef and was several times forced to change its course away from Australian waters by HMAS *Warramunga*. The Australian frigate *Warramunga* engaged in a six hour long operation of what could be described as a 'cat-and-mouse game' of forcing asylum-seekers away from Australian territorial waters. On failing to intimidate the vessel to turn back, the 237 asylum-seekers were finally transferred to HMAS *Manoora*, joining with the 433 asylum-seekers from the MV *Tampa*.
2. The NetIPR believes that intercepting and diverting the asylum-seekers' boat on the high sea violates human rights: firstly, by preventing the asylum-seekers from entering Australian territory and seeking asylum; secondly, by attempting to turn away the asylum-seekers amounts to the Australian government's refoulement of refugees. It is an inhuman act by the Australian government to try to turn the asylum-seekers' boat back into international waters.
3. This latest incident of turning away the asylum-seekers' boat must be viewed in the context of the Australian government preparing for a forthcoming federal election. Last week, the Federal coalition government's popularity soared as it gave the asylum-seekers on the MV *Tampa* the "tough treatment". The Australian Government has thus chosen to maintain its controversial and inhuman stand against asylum-seekers so as to shore up public support. The NetIPR strongly condemns the Australian government manipulating the refugee and asylum-seeker issue to gain electoral popularity.
4. Australia in recent years has received a steady stream of boat people who are mainly from Afghanistan and Iraq. During 1999 and 2000, the total number of boat arrivals were 3738 and 2945 respectively. It is inaccurate and self-serving to view these boat arrivals simply as a result of the 'people smuggling rackets' targeting Australia. These boat arrivals are mainly the result of major humanitarian disasters occurring in Afghanistan and Iraq. Afghanistan, for example, has experienced total economic and administrative collapse under religious fundamentalist Taliban regime. An estimated 3.6 million Afghans are now displaced in neighbouring states of Pakistan and Iran. Because of such a major displacement of the people in the region, it is predictable that a small number of those refugees may arrive places like Australia or Europe. The numbers of boat arrivals to Australia is likely to remain unchanged within the foreseeable future, regardless of the Australian government's effort to stem the flow of asylum-seekers.
5. Whereas countries like Australia must treat these asylum-seekers who arrive in its territory with due respect and dignity, the international community should also make efforts to alleviate the suffering of 3.6 million displaced Afghan people. First and foremost, human rights protection is given and humanitarian assistance are delivered to the displaced Afghan people now living in Pakistan and Iran.

Executive Committee

Network for International Protection of Refugees



Hide and seek on high seas

Robert Garran
□ Defence writer

IMMIGRATION officials had known for weeks that a boat with hundreds of asylum-seekers was on its way to Ashmore Reef. On Friday night they found it.

When Coastwatch spotted the craft north of Ashmore, the frigate HMAS Warramunga, one of five ships assigned to the intensified northern surveillance operation, was sent to watch.

A boat sent from the frigate warned the wooden vessel to turn around or the passengers would face detention and the crew 20 years' jail. The message would have been delivered in Indonesian, in writing or proclaimed over a loud-hailer.

After the initial warning, Warramunga sailors boarded the boat 65km north of Ashmore, in international waters.

The navy's right to board ships in international waters is limited, but a statement by Defence Minister Peter Reith makes clear the navy's view of the legal basis of the decision.

"The vessel was displaying no flags or port-of-registry indications and was therefore boarded under the law of the sea as a stateless vessel to allow HMAS Warramunga to establish the port of registry from the vessel's books," it says.

But having boarded the vessel once, the navy had no right to board it again until it entered Australian waters.

Once the Bali-registered Aceng crossed into Australia's "contiguous zone" it played a six-hour cat-and-mouse game with the Warramunga.

NOT 200 MORE ABOUT
BOAT PEOPLE... 20 MILLION
HOW MANY SINCE
IS THAT? 1788



Each time it entered Australian waters, sailors from the Warramunga boarded and insisted it head back out. But each time the boat returned to international waters the Australians were obliged to disembark, allowing the Aceng to turn back towards Ashmore.

After darting back and forth a number of times, the crew and passengers of the Aceng "became agitated", Mr Reith said, and the Warramunga's commander decided no further boardings would be made.

The Warramunga and the guided-missile frigate HMAS Newcastle delivered food and medical supplies to the Aceng but did not try to remove it from Australia's contiguous zone, Mr Reith said.

HMAS Manoora, carrying the Tampa's 433 asylum-seekers, arrived at sunrise and the Aceng's company of 237 was "voluntarily" transferred.

International law expert Donald Rothwell said nothing appeared to be irregular in the navy's actions. After failing to persuade the Aceng to stay in international waters, the navy had adopted a humanitarian approach, he said.

Navy in new boat boarding drama

FROM GERRARD McMANUS
IN SYDNEY

AUSTRALIAN sailors have made a forced boarding of an Indonesian vessel carrying a new batch of more than 200 illegal immigrants.

Armed sailors from the frigate Warramunga stopped the Bali-registered Aceng late on Friday in international waters 34 nautical miles north of Ashmore Islands after the boat refused requests to turn back.

Later the 290 were transferred to the HMAS Manoora, already laden with 438 asylum seekers from last week's extraordinary MS Tampa stand-off at Christmas Island.

The latest extraordinary six-hour drama began when the Indonesian people-smuggling boat was first spotted heading toward Ashmore Reef by a Coastwatch aircraft late on Friday, and the Anzac frigate HMAS Warramunga sent to intercept it.

When the Warramunga reached the vessel 35 nautical miles north of Ashmore Reef in International

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waters, navy crew began warning the ship to turn back. The Aceng's crew ignored all warnings and navy crews repeatedly boarded the boat. Indonesian authorities had refused requests to board the vessel in Indonesian waters.

A highly trained boarding party, armed with Steyr automatic rifles, kept reboarding the boat trying to force it to turn back. But the people on board became more distressed and aggressive to the point where it became too dangerous. The Warramunga's commander, under orders from Defence Department headquarters in Canberra, also stopped trying to force the Aceng back to Indonesia.

The Warramunga was later joined by another RAN frigate, the Newcastle. Defence Minister Peter Reith described the mood of the people on board as "agitated", and said they were only placated with offers of food and medical supplies.

The HMAS Manoora, which is processing the asylum seekers from the Norwegian cargo ship MS Tampa, was on its way to Port Moresby when the incident occurred. Releasing details of the latest refugee drama, Prime Minister John Howard said that at no stage did the latest asylum seekers enter Australian waters. He said the boat was boarded and the people taken off and placed on the HMAS Manoora. Mr Howard confirmed a request made to Indonesian authorities to board the vessel while in Indonesian waters was rejected.

The Advertiser 9/9/2001