

Australian SAS troops seize Norwegian freighter to prevent refugees from landing

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30 August 2001

An extraordinary standoff is underway in the seas off Christmas Island, an Australian outpost in the Indian Ocean. Yesterday a squad of Australian Special Air Services (SAS) troops in full military gear and armed with automatic weapons seized control of the Norwegian freighter, the *Tampa*, in order to prevent about 460 refugees, plucked from a leaking boat just four days ago, from landing on Australian territory.

In initiating this unprecedented military action, Australian Prime Minister John Howard has made clear that he will do whatever it takes to “send a message” to potential asylum seekers that they will be unable to land in Australia, even if the government’s measures breach international law and refugee conventions. With federal elections just months away, the government’s unprecedented decision is in part aimed at securing the votes of a narrow rightwing constituency on the basis of anti-immigrant xenophobia.

The Howard government is demanding that the *Tampa*, which is currently standing just four nautical miles off Christmas Island, return to international waters. The ship’s captain, Arne Rinnan, has refused to do so, citing the obvious dangers involved—the ship is not equipped to carry nearly 500 people, including 26 women and 43 children, on the open seas. Some of the asylum seekers have been on hunger strike and others have threatened to jump overboard unless they are allowed to land on Australian territory.

Moreover, it is by no means clear where the ship would go, if it were returned to international waters. Indonesia, to the north of Christmas Island, has refused to take the refugees, saying that Australia should allow the asylum seekers to land on humanitarian grounds. Apart from offering minimal food and medical assistance, the Australian government has provided no answer. Howard is adamant he “will not blink” and is prepared to abandon the refugees to their fate on the high seas.

The fate of the *Tampa* recalls the plight of more than 900 Jews who sought to escape Nazi Germany on the liner *St Louis* only weeks before the outbreak of World War II in 1939. At that time, the Roosevelt administration in the US and the Cuban government refused to allow the refugees entry and forced the ship to return to Europe, where the majority were handed over to the Nazis and killed.

In one of his government’s more outlandish proposals, Howard suggested that as the *Tampa* was a Norwegian-flagged vessel, it was Norway’s responsibility to deal with the problem. But as Norwegian authorities have been quick to point out, the freighter

became involved only because it was requested by Australian search and rescue agencies to go to the aid of a sinking refugee boat in international waters. The ship was even guided to the spot by Australian coastal surveillance aircraft.

The *Tampa* took hundreds of people on board and was going to proceed to Indonesia. At the request of a delegation of refugees, however, some of whom were threatening to jump overboard, the captain turned the ship to nearby Christmas Island, having initially been assured by Australian authorities that he would be permitted to dock. But in an astonishing about-face, the Howard government convened a special two-hour cabinet meeting on Monday to overturn the decision of local officials. The *Tampa*’s captain was informed that he would not be permitted to enter Australian waters at Christmas Island.

By that time, conditions on the freighter, which is licensed to carry just 50 people, were deteriorating. Australian authorities then refused requests for food, water, pharmaceuticals and medical personnel. Twelve hours before the military seized the ship, its captain issued a “pan-pan” distress signal—second in priority to a mayday call—over his concerns for the state of the refugees, some of whom were sick. Two of the women on board are seven months pregnant.

The captain told the *Norway Post* that 15 refugees on board had lost consciousness and three of them were no longer reacting to outside stimuli. Moreover, with no doctor on the ship, the crew members were in no position to judge the medical condition of the refugees. Australia’s refusal to respond to the *Tampa*’s appeal for help was itself a breach of longstanding international conventions that permit ships in distress to go to the nearest safe harbour. Concerned at the growing health and safety problems on the ship, Rinnan eventually decided to ignore the directions of Australian authorities and to approach Christmas Island “to take shelter to be able to effect transfer of medical assistance”.

As soon as the *Tampa* entered Australian waters, the Howard government, with the complete backing of the Labor Party opposition, dispatched a heavily-armed SAS team—part of a military build-up on Christmas Island over the last few days. The soldiers boarded the ship and ordered the captain to return to international waters. Rinnan refused and turned off the ship’s engines. One of the SAS soldiers with medical training spent just one hour making a cursory examination of the hundreds of refugees on board and determined that no one was in need of “urgent treatment”.

Throughout these events, the response of the Australian government, as well as opposition parties and the media, has been permeated with a distinct odour of racism. One only has to consider what the government's reaction would have been if several hundred rescued British or American tourists were on board a container ship without food, medicine, adequate shelter, clothes, toilet or bathing facilities.

The fate of impoverished refugees fleeing wars, oppression and economic hardship in Afghanistan, Pakistan, Sri Lanka and Indonesia is an entirely different matter. Government ministers feel no compunction in dismissing their illnesses as feigned, their threats of suicide as "ploys" and any requests for asylum as the claims of "queue jumpers". Howard summed up the callous indifference of his government, when he commented derisively: "Every situation has its 450 souls. Every situation has stories of hunger strikes, even suggestions of throwing children overboard."

A spokesman for Wallenius Wilhelmsen, *Tampa's* shipping line, said the company was stunned by the vessel's military seizure and described Australia's response as "callous". He said the company would nevertheless answer any future distress calls made by Australian authorities but warned that the line would take legal action against the Australian government if the *Tampa* were forced back into international waters.

The Norwegian government is protesting Australia's actions to the International Maritime Organisation, the United Nations and the International Red Cross. Foreign Minister Thorbjørn Jagland said the Howard government's attitude was "inhuman" and contravened international law. "The fact remains," he said, "that Australian authorities appealed to *Tampa* to assist the refugees in distress, and led the freighter to the position of the sinking vessel. It is therefore unacceptable that Australia does not allow the ship to go to the nearest Australian harbour."

On Christmas Island itself, where the *Tampa* languishes in plain view just off the coast, local residents have expressed shock at the government's actions and their concern for the refugees. A meeting of local shire councillors and community leaders unanimously passed a resolution stating: "The elected representatives of the people of Christmas Island are ashamed of the prime minister of our country... We believe it is our humanitarian duty to assist the captain and crew of the *Tampa* and the asylum seekers by offering safe refuge on Christmas Island."

The Howard government obviously feels itself on shaky legal grounds. Now that the ship is in Australian territorial waters, those on board must, under the International Refugee Convention, be given the right to apply for asylum. Moreover, under the same convention, a country is not permitted to close its borders to refugees. The Australian government has brazenly flouted both these provisions.

In a bid to shore up its legal position, the government late last night presented an emergency Border Protection Bill to parliament and proposed to make it retrospective to cover the *Tampa's* seizure. The legislation would provide "absolute discretion" to military officers or government officials to detain and remove a ship from Australian waters and to force back on board anyone who left the ship. Any refugee on such a vessel would be barred from applying for a refugee visa—a clear breach of the International

Refugee Convention. The Bill would prevent legal challenges in any court to the actions of the government or officials—a move that is not only unprecedented but also unconstitutional under Australian law.

The legislation was rejected in the upper house on the combined vote of Labor Party, Australian Democrat and Green senators. The Labor opposition did not, however, oppose the Bill on principle but rather because its scope was somewhat too sweeping. Labor leader Kim Beazley berated the Howard government for allowing "regional relationships to fall apart" and for failing to convince Indonesian President Megawati Sukarnoputri to take the refugees off Australia's hands.

On the immediate issue of the *Tampa*, Labor stood foursquare behind the Howard government, indicating that it was prepared to back a special bill to legitimise the military takeover of the vessel. To make its position unambiguously clear, the Labor caucus passed a motion today to support legislation to force the Norwegian freighter into international waters. The decision was reportedly passed unanimously, with the full backing of all the Labor Party's so-called lefts.

The issue has sharply divided public opinion in Australia. The media has given widespread coverage to polls on talkback radio, indicating strong support for the Howard government's stance. The commentators on such shows are notorious for their rightwing, anti-immigrant and often racist views. It is to the social layer fostered by such programs that both the Liberals and Labor are pitching their appeal.

As on Christmas Island, however, there are also many signs of outrage at the Howard government's actions. A significant number of letters to the press have expressed opposition to the treatment of the refugees. One writer commented: "As one who is not a radio talkback caller, I want my opinion to be registered. I am outraged and ashamed. I deplore the Australian government's action in refusing entry to the *Tampa* and the asylum seekers."

There is also distinct nervousness in ruling circles over the international ramifications of the Howard government's heavy-handed treatment of the issue. An editorial in the *Australian* newspaper was headlined "PM's refugee bungling defies reason and decency". It denounced the government's "deterrence policy" as a "failure" and said its reaction to the *Tampa* refugees had "ruptured relations" with Indonesia and Norway. Several commentators have observed that Howard's ham-fisted approach has mired the government in a situation with no "exit strategy".

The Howard government, however, insists that it will not back down. Asked about the next move, Foreign Minister Alexander Downer told ABC television's *Lateline* last night that the government would use "necessary force" to remove the ship. "I'm not going to talk about the mechanisms we'll use, but we'll certainly take it out of Australian territorial waters."



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